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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, July 8, 2008, at 2 p.m.

## Senate

MONDAY, JULY 7, 2008

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, creator and sustainer of life, thank You for the inward prompting that draws us closer to You. Bless our Senators today. Make them leaders who are true and strong. Empower them to live lives that are above reproach. Give them self-control, generosity, gentleness, and humility. Lord, remind them that You do not ask for success but faithfulness. Help them to set exemplary standards in their speech, conduct, love, faith, and purity. Give them a productive persistence that will keep them from weariness as they do good. Bless their families and surround their loved ones with Your favor.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 7, 2008.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
*President pro tempore.*

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, today, following leader remarks, the Senate will be in a period of morning business until 3 p.m. Senators will be permitted therein to speak for up to 10 minutes each.

I know the two managers of the housing bill plan on being here on or about that time. As I have indicated, the Senate will resume consideration of the House message that accompanies H.R. 3221, housing reform legislation, under a previous order. At 5:30 p.m. today, the Senate will proceed to a cloture vote on the motion to concur with respect to the housing reform legislation.

Before we left for the Fourth of July recess, we were able to reach an agreement on FISA legislation. We will debate the bill.

I have spoken to the distinguished Republican leader today. We are going to try to get an agreement—I feel very comfortable that we can—and we will complete all the debate tomorrow. There are a number of Senators proceeding to North Carolina for the funeral of Senator Helms. So they could spend whatever time is necessary to be in North Carolina and not feel pressed on coming back, we are going to try to do the votes Wednesday morning. I think that will work out just fine for everyone's schedule. We will debate the bill then tomorrow afternoon; tomorrow night, we have 7 hours set aside. We may even leave a little time for Wednesday morning. We will see how that goes. Whatever I do will have to be with the agreement of the Republican leader; otherwise, we finish everything tomorrow night and no one thinks that would be appropriate. Senators will be notified as soon as this is worked out. We will try to have a unanimous consent agreement on that at the earliest possible time today.

### TRIBUTE TO SENATOR JESSE HELMS

Mr. REID. Mr. President, on Friday, the Fourth of July—in fact the Fourth of July had just broken; it was an hour and a half after midnight—the Senate lost a Member of our Senate family: Jesse Helms of North Carolina.

I can't but think of Jesse Helms and the first name that enters my mind is

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Senator Paul Wellstone. Paul Wellstone, as we all remember, was a Senator from Minnesota. I am sure it seems odd to most people—recognizing their political proclivities; that is, those of Senator Wellstone and those of Senator Helms—why my mind picks up Paul Wellstone upon mentioning the name of Jesse Helms. It is hard to imagine two Senators more divergent in their views.

Senator Wellstone was clearly a liberal. Senator Helms was clearly a very conservative man. Their views were very divergent, very different. It is no secret because he told everyone when he came to Washington—Paul Wellstone made it clear he didn't like his rightwing colleague from North Carolina, Jesse Helms. He said that openly. But it was not long before Paul Wellstone publicly changed his view of Senator Helms. Senator Wellstone continued to fiercely disagree with Jesse Helms on most issues, but he quickly came to respect him for his sincerity.

When I came to the Senate, I, similar to all new Senators, was excited to be here and understood what a great honor it was to represent the people of the State of Nevada in the Senate. But one of the last people whom I was going to try to befriend was Jesse Helms. As a moderate Democrat, I found his views extreme. We found little common ground in points of policy, it appeared.

As a freshman Senator, I enjoyed presiding, as does the Presiding Officer now presiding over the Senate. I spent my share of time in the seat the Presiding Officer now has. I enjoyed that very much. During my time, that first 2 years I was in the Senate, I watched Jesse Helms right over here to my right, stand and talk often—and a lot. I can remember one time he was here—I was the Presiding Officer, he was over there—there was not another person in this Chamber. Jesse Helms said to me, as sincerely as anyone could say anything—and he had a distinct speaking voice—he said to me as sincerely as anyone could say anything, he said:

Mr. President, I don't want to be here on this issue but no one else will come and talk on it.

It was an issue dealing with pornography. The speech Jesse Helms gave was often on issues that other people would not speak out about. But I became so impressed with his sincerity, that he wasn't doing what he said for political reasons; he was doing it because that is what he believed. We all have to admire someone such as that, even though we may disagree with what they speak.

I came to understand what Paul Wellstone had come to realize. I came to it before Paul Wellstone did because I got here before he did. Whether you agreed with the Senator from North Carolina, his sincerity and his views and the forthright way in which he stood by them were remarkable. So I believe it is fitting that Jesse Helms' last day on Earth was the Fourth of

July. He loved his country. He spent every day doing what he believed was necessary to make it stronger. His wife Dorothy and children, Jane, Nancy, and Charles, along with seven Helms grandchildren and one great grandchild are in our thoughts.

Rest well, Jesse Helms.

I have some other things to say, but perhaps my colleague wants to say something about Senator Helms? If that is the case, I will save my remarks until he finishes.

#### TRIBUTE TO SENATOR JESSE HELMS

Mr. McCONNELL. I thank my friend, the majority leader. Let me just add, Jesse and Dot Helms were good friends of Elaine's and mine and good friends of a lot of other people in the Senate on both sides. There are a significant number of our conference planning to attend the funeral tomorrow. I thank the majority leader for his accommodation of those requests by having the votes on Wednesday morning. At Dot Helms' request, I will be doing one of the eulogies tomorrow at the funeral, and I will have more to say about the life of my good friend Jesse Helms when I get back. But I wish to echo the remarks of the majority leader about what a fine gentleman he was.

If you took a poll around here of the pages and the people who work in the Capitol about who was the most popular Member, I expect Jesse Helms would have won it—which would surprise an awful lot of people in the press and out in America who thought of Senator Helms as sort of a fierce individual. In fact, in person, he was as gentle, as accommodating, and as friendly as anybody I have ever met. We all will miss Jesse Helms a great deal.

I thank the majority leader for giving me an opportunity to make some comments at this point about our good friend Jesse Helms.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, we are going to go ahead and do our caucus tomorrow as we normally do, but the Republicans are going to do theirs on Wednesday. We will make sure there are no votes between 12:30 and 2 o'clock on Wednesday so they can do their business.

#### REPUBLICAN OBSTRUCTION AND THE ECONOMY

Mr. REID. Mr. President, just as the American people are recovering from a holiday weekend marked by record gas prices announced this morning, averaging \$4.11 a gallon—and it is much more than that in Nevada; it is \$4.25 in Nevada—another report in the news this morning suggests oil might reach \$200 before the end of the year—\$200 a barrel. It was only a couple months ago

that President Bush seemed shocked and confused when a reporter suggested that some analysts were predicting that gas would reach \$4 a gallon. Now some economists consider \$6 a gallon a very real possibility.

While most Americans enjoyed a day off from work on Friday to celebrate the Fourth of July, no one gets a day off from paying record gas prices, record oil prices, and record grocery prices.

I spoke an hour ago to Verie Doing, who owns the biggest business in Searchlight. Verie and her late husband, Warren Doing, ran what might not be much by most standards, but it is for the people in Searchlight. She employs 70 or 80 people, and it is the biggest employer in Searchlight. She has a bar and casino, a restaurant. She said she is feeling the impact of gas prices. Las Vegas is 60 miles away, there is no town closer, so in Searchlight you need the tourist trade.

She is similar to all small business people—they are struggling. That is why on Thursday it was announced that Starbucks is closing more than 600 stores; Dillard's will likely go out of business; Pep Boys will likely go out of business. There are huge cutbacks in many other companies. Nine thousand stores will close before the end of the year. That, of course, opens places that people are going to have to try to rent, probably at reduced rates if they even can rent them. So this is a snowballing effect.

With rare exception, all these problems economically are caused by two things: the gas prices and the housing crisis. We have 8,500 new home foreclosures every day. Americans are at risk of losing their homes. They don't get a day off, of course. As American people endure sleepless nights trying to figure out how to make ends meet and provide for their families, they deserve to know that Congress is working hard to help.

But what we are seeing is the Republican leaders, both in the House and in the Senate, simply refusing to work with Democrats on legislation essential to our country in this economic recession. Of course, it is more focused on the Senate because, as we know, if you are in the majority of the House, you can move things. In the Senate, that is not the way it is. We have the ability to filibuster things and, as we know, that is what has been going on in recent months.

My friend, Senator McCONNELL, said time and time again the way to get things done in the Senate is through bipartisanship. There is no question about that. The only way you get things done in this body is bipartisanship, and that is why I have said if there is a change in the number of Senators we have next year, if there are more seats on this side of the aisle next year, we still have to work on a bipartisan basis.

I am committed to doing that. I could not agree, as I have indicated,

more with Senator MCCONNELL that we have to work on a bipartisan basis. That is why in the waning days and hours of the last work period I brought to the Senate legislation that was bipartisan in the truest sense, the emergency supplemental appropriations bill that finally gives our troops the care and benefits they have earned with tremendous valor; one of the most important things this country has done in decades, a GI bill of rights.

Coincidentally, the Presiding Officer is the man who wrote that. There are a lot of people, I am sure, knowing the humility the Presiding Officer has that you want to give credit, but the credit starts with the Presiding Officer as the first person in line, in my mind, and Senator HAGEL.

But it was bipartisan. That is how we got it done. As good and as intelligent, as necessary, as the GI bill of rights was, we could never have gotten it done without the bipartisan support that Senator WEBB of Virginia got for that bill.

We also introduced, right before we left, a housing bill to stem the tide of foreclosures and correct flaws in the lending laws to prevent foreclosure of future homeowners. In that we did not finish that bill before we left, add 10 days, make it a short period of time, that is 85,000 homes have gone into foreclosure; 8,500 a day. Add one zero to that, that is 85,000.

We had a Medicare doctors fix to prevent payment cuts for doctors and improve care for patients. That was so important. I know that the attention is focused on the doctors, but it is more than the doctors. Of course, the doctors did not want a 10.6-percent cut. But that had a tremendous snowballing effect. Doctors cannot afford to take Medicare patients with this cut. They will not take them. I had the opportunity to go to dinner with two of my wife's physicians, people who have cared for her over the years, during the break. One of them said: I am not sure I can take Medicare patients anymore—an internist, great reputation.

Not only does it affect that, many entities base their reimbursement on what Medicare pays. So it is a very difficult situation. It was a bipartisan piece of legislation.

We also did, right before we left, a bill cutting taxes for innovators and entrepreneurs, for developing clean alternative fuels that would help end our addiction to foreign oil. So despite my friend, the Republican leader's, words on embracing bipartisanship, the Senate Republicans blocked all these strongly bipartisan bills except for the supplemental appropriations bill, every one of them, and a few more.

The housing bill is supported by a strong bipartisan majority of Republicans and Democrats. Cloture was invoked by a vote of 83 to 9, and the Dodd-Shelby-Baucus-Grassley substitute amendment was agreed to by a vote of 79 to 16. We could have finished that bill last work period, but Senate Republican leaders blocked housing.

Since then, as I have already said, another 85,000 homes have been foreclosed upon, or at least the foreclosure proceedings have started. The Medicare doctors fix passed the House with a stunning 355-to-59 vote. Could anything be more bipartisan? Virtually every House Democrat and two-thirds of the House Republicans supported it. Two-thirds of the House Republicans supported it. How could anything be more bipartisan?

As we talked about before we left, one of the Republicans who voted against it apologized publicly, wrote a letter saying: I made a mistake.

Yet Republican leaders blocked the Medicare fix and chose to protect insurance companies and the health care providers at the expense of elderly patients and their doctors. Last year these people my friends on the other side of the aisle are trying to protect with the Medicare Advantage Program, part of the Medicare bill that was passed some time ago, made more than \$15 billion.

To take care of this issue that is so important to the American people, the so-called doctors fix, I explained how important it is; we took a tiny bit of the \$15 billion. So we should have done this. We should have fixed it. It should not have been blocked. It was a choice made to protect the HMOs and the insurance companies at the expense of elderly patients and their doctors.

The alternative energy tax extenders also enjoy strong bipartisan support. Yet this legislation has been blocked, this legislation which would literally cut taxes. It seems that the Republican definition of "bipartisan" is not what the rest of us understand "bipartisanship" as meaning. Under their definition, even if a small handful of Republicans—remember, I have gone over the number of these bills passing overwhelmingly. Even if a small handful of Republicans oppose the legislation all of the rest support, the Republican leadership does not consider it to be bipartisan.

I understand the frustration the Republicans feel as a minority party. But the stakes are too high for inaction. If they, the Republicans in the Senate, seek bipartisanship, as they claim they do, my Republican friends should end their pointless, harmful obstruction and work with us to pass these bills that all enjoy strong and in many cases overwhelming bipartisan support: housing, tax extenders, including provisions for alternative energy, the Medicare bill, only to name a few.

Now, this work period is one that we have a lot of work to do, a whole lot of work to do. I had the good fortune of speaking with the Republican leader today, and I went over with him some of the things we need to do this work period. We need to complete a number of issues. We need one more to join us on Medicare. It is no big surprise that we are going to have a vote on Medicare again on Wednesday so everyone should be prepared for that. We can do

that. There can be some obstacles thrown up. But they cannot stop us from voting Wednesday afternoon. There can be an effort made to have a majority vote on this, one matter to proceed to it, and another one. But, of course, we wind up needing 60 votes. And there will be an opportunity Wednesday, probably in the late afternoon, to see if we can pick up that one extra vote.

We are going to pass FISA, a bill I oppose because of its unique provision. But a bipartisan majority of Senators will likely support that. We must also address gas prices. I have talked to the Republican leader about hopefully we can work something out on a bipartisan basis. I am certainly going to try.

One of the areas that it appears there is some agreement on is speculation, and maybe we can do something in that regard together, because there have been public statements made by the Republican colleagues that speculation is a problem. Maybe we can do something with the other aspects of that. I am happy to try to work something out.

We have to do PEPFAR. I hope we can do that by unanimous consent. I hope we do not have to go through all of the procedures. I mean there are literally a handful of Republicans holding that up. They have held it up for a long time. We have tried to move it on a number of occasions. There have been objections to it. So this work period we have to move forward on it.

I have talked about the energy tax extenders, the Consumer Product Safety conference report. That is going to come to us. That is almost completed. We are going to have to have a run at LIHEAP to see what we can do for that; the media shield law. Some of these may not go very far because there may be Republican objection, there may be bipartisan objection to some of these on proceeding to them. We will have to see.

There is also a package, I have talked to the Republican leader, a big package of bills we are putting together that has been held up by one Senator. We are going to put those together. They are already put together. We are going to move forward on those.

We also, I think, have to do the DOD authorization and appropriations bill. This is not a list of Democratic priorities or pet issues, it is not a platform for the Obama campaign or any of the Senate races around the country. These are critical priorities of the American people, every one of them.

The next several weeks can be easy or they can be difficult. If my colleagues on the other side of the aisle are willing, we can pass this legislation swiftly and with overwhelming support from Democrats and Republicans. But if we look to the last 18 months, past as prologue, then there be likely some heel dragging. If we finish these pieces of legislation in the first 4 weeks we are here, then I have no problem taking that first week in August off. If

these issues are more than we can bear, talk to me. I think I have been pretty reasonable in setting these out. But I have gone over these with the Republican leader, and I am happy to sit down and talk to him if he thinks that some of them are a bridge too far. But this, in my opinion, is what we need to do so that the Senate is respectful of the wishes of the American people.

A couple of other things. I do not think it is good for us that we try to accomplish nothing. I remind my Republican colleagues, and perhaps I do not need to do this, that the root of continued obstructionism is not without cost. Most importantly, it comes at a cost to the American people who are facing Medicare cuts, increasing home foreclosure, ever increasing gas prices, because Republicans refused to work with us last work period.

But continued obstruction is, I believe, in my opinion, coming at a cost to our Republican colleagues themselves as well. The American people see with clear eyes that our country's economic crisis continues to grow worse. The Republicans have dragged their heels. It is not coincidental that we have had editorials all over the country—I am not going point to those—indicating that the Republicans have to work more to get things done.

But there is good reason to show that Americans favor a Democratic control of Congress by the widest margin in the history of polling. Never, never has there been a wide margin between Democrats and Republicans as to who the American people feel will do a better job taking care of our country. So maybe after a week back home among family, friends, constituents, my Republican colleagues are ready to walk away from the small handful of their colleagues who insist upon inaction. Maybe enough voters back home explained to my friends on the other side of the aisle exactly how urgently they need help.

If so, I say to my Republican colleagues, I am here, we are here to work with you. It is not too late to be the 60th vote on Medicare and join us on housing, alternative fuels. I hope the July 4 recess will be remembered as a turning point for this Congress, and we can now move forward with the same urgency the American people feel to find common ground and change our country as it desperately needs changing.

The turning point can begin now. The Republicans can allow us to move forward and debate legislation to lower gas prices, invest in clean, renewable, alternative energy. I am not going to go over a list of unanimous-consent requests; I have done that in the past. I simply want to say, let's not have these objections to these pieces of legislation. Let's try to work together.

We frankly have had—and I spoke to a Republican Senator today, saying: We need more opportunity to offer amendments. I said to my friend, a Republican Senator: You know, we are in

the throes of a Presidential election. We have at the most about 9 weeks of legislative time before that election.

On opportunities that we had to legislate, where we brought to the floor pieces of legislation that were open to amendment, here is what we got: The 18-cent tax holiday was an effort of JOHN MCCAIN to do a campaign issue. Senator OBAMA said it was a political gimmick and it didn't go anywhere. Also on the GI bill of rights, as my friend the Presiding Officer will acknowledge, we had an open piece of legislation. What do they want to offer on that? Something to change the GI bill of rights because Senator MCCAIN said it was too generous. On housing, we want to legislate on housing. And when other issues come up, that is what we want to legislate on.

We are not going to have this as an opportunity to do a Presidential election here in the Senate. We have elections all over the country, and we have enough to do.

I would hope my friends will respond to the deafening calls from their constituents to take action. Instead of working with us on legislation to lower gas prices, they propose that we lease more land to oil companies. We participated in that. I led the effort over here, with a number of other Senators, to get Senators to go along with drilling in the gulf. We did that. We did that. But it is interesting, we have been told by those companies that any new offshore drilling, if they decide that is what they want to do, will take at least 2 years before they can get a piece of equipment to drill offshore. They don't have any. So we are not blind to the American people looking to every opportunity they can. We are not knee-jerk opposed to drilling, but we do acknowledge that our great country, with the wonderful natural resources Lewis and Clark and others discovered—we have less than 3 percent of the oil in the entire world, and that counts ANWR and all the offshore—less than 3 percent. We use more than 25 percent of all the oil that is used in the world. We use 21 million barrels a day 7 days a week. We are open to any reasonable approach that will lower gas prices, but let's also not forget that the oil industry already leases 68 million acres in America that they aren't using.

The State of Nevada is the seventh largest State in the Union. The 68 million acres is about the size as the State of Nevada. That is a lot of area to drill on. If you go from the southern tip of the State of Nevada to the northern tip of the State of Nevada, that is at least 750 miles. It is wide. At the top, it is about 400 miles wide. That is a lot of area to drill. That is how much land and offshore they have to drill on right now.

So even if the Republican proposal were enacted, it would take years and even decades to conduct exploration to begin drilling. Even then, the plan wouldn't lower gas prices. But we are

willing to take a look at any proposal like that. As I indicated, we helped get offshore drilling in the gulf.

So instead of proposing legislation that would just add more to the 68 million unused acres, I think we should try something that might be a little better than that. We are willing to do whatever is reasonable. We have done so in the past. As I indicated, in 2006, we helped pass a bipartisan plan for drilling in the Gulf of Mexico.

Republicans can work with us to end speculation on the oil markets that contributes tangibly to higher prices at the pump. I talked here a few minutes ago about how there appears to be bipartisan support for doing something about speculation. I will come to my Republican colleagues before the end of the week with a proposal on which I hope we can pick up Republican support. Is the plan I am going to come up with perfect? Of course not. But we have been doing a lot of work. I have a number of meetings, some of which are in the evening this week. If my Republican colleagues want to add something to this speculation thing to make it better, we will work with them.

The main thing, though, is that we have to work to make America, a country that contains less than 3 percent of the world's supply of oil, energy independent by investing in renewables, clean renewables. These steps would lower gas prices in the short term and it would create jobs, hundreds of thousands of jobs, clean jobs, high-paying jobs.

I hope that this next work period, we can work together and accomplish a lot for America. I have tried to outline here for my colleagues, both Democrats and Republicans, what is in store for us this next work period.

I look forward to leaving here for the conventions, during the time we are gone, which will bring us a new President. Hopefully, we will walk out of here with our shoulders back and our heads held high that we have been able to accomplish something this work period.

The ACTING PRESIDENT pro tempore. The Republican leader.

#### GAS PRICES REDUCTION ACT

Mr. MCCONNELL. Mr. President, there is no question what the No. 1 issue is on the minds of the American people. It is the price of gas at the pump. It is literally off the charts. For those of us who have looked at surveys over the years, it is hard to recall, other than the post-9/11 period, a single issue that has enjoyed this kind of dominance in public opinion polls in America. I was home last week. I heard from a lot of Kentuckians on this issue. I know I wasn't the only one hearing the same thing. The high price of gas is the No. 1 issue facing Americans at this time. It should be the No. 1 issue for the Senate. Americans are hurting. They have every right to expect their elected representatives to actually do

something about it. We need to take up and pass legislation which not only makes a statement but which also makes a difference.

Just before the Fourth of July holiday, 44 Republicans introduced the Gas Price Reduction Act, a series of proposals to increase American energy production, to increase conservation, and to make sure that excessive speculation is not driving up the price of oil; basically, find more, use less. This is the only legislation that has been offered that has both a real chance to pass and will truly help consumers at the pump.

The find more provisions include increased exploration on the outer continental shelf, where States want it, and lifting the ban on western oil shale exploration. Under use less, we propose incentivizing the development of plug-in electric cars and trucks, and the advanced batteries needed to power them.

We can and should increase development of alternative sources of energy. But conservation, alone, is not the way out of this problem. The current spike in energy prices is a supply and demand problem, not a demand and demand problem. If prices are going to come down, we need to find more energy at home and use less. We must do both.

The goal of finding more energy at home, rather than relying on the Middle East, is not a fantasy. America is already the No. 3 oil producer in the world, and a number of States have indicated they would like to open up the area off their coasts to even more oil exploration, but they are prohibited by a Federal ban. At \$4.10 a gallon, this nationwide ban no longer makes sense. It should be lifted with prices where they are now. It should be up to individual States to decide whether to allow exploration 50 miles off their coasts.

We should also lift the ban on oil shale development which the new Democratic congress enacted last year. Our western States are sitting on a sea of oil three times as large as the oil reserves in Saudi Arabia. Yet at the insistence of the Democratic majority, we are not allowed to touch it. They have put a 100 percent ban on oil shale exploration. With gas prices at more than \$4 a gallon, this prohibition makes no sense.

Some on the other side say that opening up new off-shore exploration or using oil shale would not have an immediate effect and therefore should not be done at all. But the effect of allowing new exploration at home would send a clear signal to the international markets that we are willing to take serious steps to increase supply even while we move to conserve.

There is already a strong bipartisan consensus on the importance of conservation. In addition to working with our friends on the other side late last year to pass the first increase in fuel efficiency standards in more than three decades, Republicans are also looking

in this bill to conserve energy by spurring the development of plug-in electric cars and trucks.

But conservation alone won't resolve this problem. Conservation is just one side of the problem. We need to find more and use less, if we want to bring prices down.

Finally, I know there have been concerns that oil speculators are contributing to the rising price of gas. Our bill addresses this concern through putting more cops on the beat at the Commodity Futures Trading Commission, increasing transparency and strengthening U.S. futures markets.

The Gas Price Reduction Act is a dramatic step in the right direction. In putting it together, Republicans were careful to focus on proposals that already have support from the other side of the aisle. We are not interested in simply making a statement. We are determined to address the problem. We want to pass legislation which will make a difference to families feeling the pinch.

This bill contains provisions that should be agreeable to both sides of the aisle. It tackles both sides of the energy issue by increasing supply and curbing demand. We should do both.

There are many important issues facing the Congress, but few are more important than addressing the issue of energy. It is time to act, and this balanced approach is a good start.

Mr. REID. Mr. President, before my friend leaves the floor, I think there should be an opportunity, based on his statement and my statement, to do something about gas prices. We have introduced a piece of legislation we have had. We have had votes on it here before. It deals with a number of issues, including whether OPEC should be subject to the antitrust laws, which the former chairman of the Judiciary Committee and now ranking member thinks is very important, as does Senator KOHL and others on our side. That is part of ours. There are a number of issues. But to get everybody to agree that everything in it is good is difficult.

That is the same problem we are going to have with the proposal my friend talks about, the so-called new Republican piece of legislation. From what I have said and what he has said, it seems that we could certainly get together and agree on, if not all of both packages, some, and move forward.

For example, I mentioned this speculation thing. Maybe we can do that. I come from the western part of the United States. That is where most of the oil shale is. We had a great program going in the 1970s, when suddenly we took away the tax incentives for more work on oil shale. This isn't anything I personally think is repugnant. I think it is something we should take a look at. I have already given my views on offshore drilling and onshore drilling.

So we want to work together. The message that I hope comes from our

discussion early this afternoon is that Democrats and Republicans want to try to do something about gas prices. Hopefully, during this next work period we can do it.

Mr. MCCONNELL. Mr. President, not by way of rebuttal but agreeing with the majority leader, the American people are demanding that we do something. They are not kidding about this issue. I appreciate the spirit of the remarks of the majority leader. Just to give an example of the shifting views on this, a Pew poll just announced last week, taken very recently, indicates that just among political liberals alone, just to give one snapshot of how the public is evolving on this issue, the number of liberals, liberals only, who favor increased energy exploration doubled. That is just among a subset of the American population. The American people are demanding that we act.

I appreciate the comments of the majority leader. Hopefully, we will be able to find a way to do both things, both to find more and to use less.

I yield the floor.

#### ORDER FOR MORNING BUSINESS

Mr. REID. Mr. President, if my friend will yield for a unanimous consent request, I now ask unanimous consent that there be a period of 1 hour for morning business—we have a number of Senators who want to come over and talk—with Senators permitted to speak for up to 10 minutes each during that hour's period of time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Oregon.

#### HEALTH CARE

Mr. WYDEN. Mr. President, I just spent a week at home listening to Oregonians describe their concerns, virtually all of which include the word "bill." As we have heard today on the Senate floor, it is sure to be "gasoline bill." But it might also be "medical bill" or "food bill" or "credit card bill" or "tuition bill" or "tax bill" or "housing bill." Taken together, it is obvious these bills are hitting millions of our people like a wrecking ball.

In addition, millions more Americans see themselves walking an economic tightrope. For example, many of our

people try each month to pay off the interest on their maxed-out credit card while still paying those huge and skyrocketing gasoline bills. Our people are deeply worried that the cost of paying for essentials is just going to keep soaring and they are going to fall off the economic tightrope I have described into a no-man's land where they cannot support themselves or their families.

On Independence Day, I was in Canyonville, OR, to speak at a wonderful supper honoring veterans that was organized by the Cow Creek Band of the Umpqua Tribe of Indians. In my talk, I reflected on how important it is for Americans to be independent of foreign oil, independent of those crushing and escalating medical bills, and independent of the economic insecurity that has kept so many unemployed for months and months.

After my talk, a veteran stopped me and said: Just do what is right for the country. Forget the politics. Country first. That, of course, is what our veterans have always done: country first. Do what is right. Never forget. That is what makes America so special.

I do not have enough time to outline a prescription for all of the economic challenges our country faces that involve solutions built on that veteran's prescription of country first. I do want to report that we have heard what that veteran has said with respect to health care and fixing health care in the Senate.

Sixteen of us in the Senate—eight Democrats and eight Republicans—have now come together behind legislation to rein in health care costs while providing quality care to all our people. With Senator BENNETT from the other side of the aisle in the lead for Republicans, we hold down health care costs by ensuring all our people are part of a large pool so they have more bargaining power in the marketplace.

We institute insurance reforms so it is not possible to discriminate against someone who has been ill. We lower the administrative costs of covering health services. We reform the Tax Code to take away the tax breaks for the Cadillac health care plans and use those dollars for middle and lower middle income folks who are hurting. We have written into our proposal the opportunity for employers who want to keep offering health coverage and for workers who want to take that coverage to always be able to do so. But we also offer to both employers and employees more choices, more alternatives to hold down costs because today, for too many employers and too many workers, there are no alternatives to these 15-, 20-, and 25-percent rate hikes we are seeing again and again across this country.

What our bipartisan group of 16 Senators does is, we modernize our health care system because in many respects some of the key features of our health care system in 2008 are not very different than those of 1948. Back in 1948,

when there were wage and price controls, people would go to work somewhere for 30 years or so until you gave them a big steak retirement dinner and a gold watch. Today, the typical worker changes their job seven times by the time they are 35, and employers are having difficulty competing in global markets. That was one of the considerations in the Boeing-Airbus competition, that Boeing paid a lot more for health care than did Airbus.

Our group of 16 Senators has been able to get a favorable review of our proposal by the Congressional Budget Office, the agency that keeps track of the financial underpinnings of major proposals. They have found that our proposal is revenue neutral in the short term, so it will not take big tax hikes on middle-income people to fix health care. They found in the third year, as a result of what we do to change the incentives, change behavior, we actually start holding down the rate of growth in health care, and we start generating a surplus for the Federal Government.

Now, we understand as part of this legislation that both political parties have had valuable contributions to make with respect to the cause of fixing health care. Democrats have been right on the coverage issue because unless you cover everyone, those who are uninsured shift their bills to the insured and costs continue to soar. But those on the other side of the aisle have made a great contribution in terms of saying we must not discourage innovation; we must not discourage the availability of choices. There needs to be a role for the private sector.

So what our group of 16 Senators has said—and I note the presence of Senator SPECTER on the Senate floor. He has been an extraordinary advocate of improved health care services, and he and I have had many discussions on this topic and will have many more in the days ahead.

I close simply by saying, what our group of 16 Senators—this is the first time in the history of the Senate, going back 60 years to Harry Truman, where there has been a significant bipartisan group of Senators in favor of universal coverage—what our guiding principle has been in this effort, on a topic this big and this complicated—and it surely will go through a host of modifications and changes. In my committee, I intend to work very closely with Chairman BAUCUS and Senator GRASSLEY, two great leaders who work in a bipartisan fashion. We are going to have to work in a bipartisan fashion to fix American health care.

But given that litany of concerns I have described, with six or seven top issues being ones where the second word is “bill,” starting with “gasoline bill”—we have to come together on a bipartisan basis to deal with those concerns. That is what Senator BENNETT and I have sought to do as part of our health care legislation. That is what we are going to have to do to tackle

the premier economic issues of our time.

As that veteran said to me just a couple of nights ago in Canyonville, OR, putting country first is what public service and public service in the Senate is all about.

Mr. President, with that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may be permitted to speak for up to 20 minutes in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I have come to the floor to seek recognition on the issue of the Foreign Intelligence Surveillance Act, which will be the order of the business of the Senate later this week, and I have an amendment pending there. But before proceeding to that important subject, I would like to make a comment or two about what has occurred on the Senate floor already.

At the outset, I compliment my distinguished colleague from Oregon, who has played such an important leadership role in the Senate generally since coming over from the House, working with him on many items, and taking a very close look at an innovative approach to health care coverage for all Americans. There is no doubt about the need to have that coverage. The question is how we do it, maintaining the essentials of the free enterprise system to avoid the bureaucracy of the so-called Clinton plan from 1993, which put a great bureaucracy between the doctor and the patient.

What Senator WYDEN has proposed, along with Senator BENNETT, on a bipartisan basis, is very carefully considered—with a significant number of sponsors on both sides—is a good way to proceed, and my staff and I are taking a very close look at that important proposal.

Just on a personal note, while Senator WYDEN is a westerner, and some might say I am an easterner, we were both born in Wichita, KS, which may not be a mark of great distinction but worth a 20-second notation on the floor of the Senate. Somebody listening in Wichita this afternoon—my Aunt Rose—watches fastidiously, so I want to give a little salute to the hometown.

#### WORKING TOGETHER

Mr. SPECTER. Mr. President, I was pleased to hear some of the comments by our leaders earlier on a conciliatory note after the fireworks a week ago Thursday before we adjourned. The fireworks over the Medicare bill I think vastly overshadowed the fireworks a week later on the Fourth of July. I am glad to hear them talk about working together.

If there is one point of virtual unanimity in America today, it is the

American people are sick and tired of the partisan bickering in Washington, DC. When they talk about coming together on energy and the high prices of gasoline, every Member has to hear it everywhere because that is such a prominent item of great pain and suffering in America today: the high cost of gasoline and the high cost of heating oil when winter comes, especially for the seniors who have the choice of either heating or eating. I believe there are some things that can be done in the short term, difficult as so many of the items are. I have spoken before about the issue and do not intend to speak at length today. But I am encouraged by what Senator REID and Senator MCCONNELL have had to say.

One item which could be acted upon immediately, which could have some immediate impact, is the effort Senator KOHL and I have made for many years now to take away the antitrust exemption for OPEC oil-producing nations. Right now, they have a sovereign immunity. But there is nothing sovereign about what goes on in fixing the prices of oil in the international market—fixing the prices by having the OPEC countries get into a small room, lower production and increase the cost because the supply is lower and the demand is greater.

While we certainly ought to undertake conservation measures, as we finally did, raising the miles per gallon last year to 35, and with many other items we could make on conservation, we could have a significant and short-term impact upon supply by taking away the antitrust exemption, which we can do under the case law. It is a commercial transaction. It passed the Senate by a big vote. More than 70 Senators voted for it in the past. It is on the agenda. It has been voted out of the Judiciary Committee. The OPEC countries say they shouldn't be subject to the antitrust laws. Well, they find it very profitable not to be. They say it wouldn't do any good because OPEC is paying now for all of the production it can undertake, but 3 weeks ago, Saudi Arabia made an announcement that they were going to increase production. The speculation behind that announcement was that they were concerned about measures which were being undertaken by the United States and other countries to respond. In the long term, their interests might be best off if they increase production. Well, I think if they were subjected to the antitrust laws, we would put them to the test.

There is no earthly reason they should not be subjected to our antitrust laws. That has not moved forward because of some concerns that there ought to be some companion legislation on drilling. Well, that is something which ought to be considered—not *carte blanche* and not necessarily in broad, sweeping terms but on a case-by-case basis.

I have a very strong record in my tenure in the Senate on environmental protection, but if you take ANWR, I was convinced 20 years ago when I

made a trip there that ANWR could be the subject of very substantial exploration with adequate concern for environmental protection. ANWR has a footprint about as big as Philadelphia International Airport, and there are ways of drilling down with a single hole proliferating underground. I saw the caribou there. I saw the other drilling in the area. I saw how the caribou and other environmental concerns could be protected. Too often, when the matter has come up on the floor—and it has come up on many occasions—we can't get to the 60-vote threshold; 56, 57, something in that range. It becomes a battle by competing forces who are dug in and entrenched.

I think it is an item the Congress could consider in some greater detail and on a selective basis move in the immediate future to try to increase our own capacity. You don't have to go completely on offshore or completely on shale or completely in any direction, but some studied analysis and some careful consideration, trying to leave the entrenched battle lines which have characterized this body and the House on this issue for so long, would be very salutary and I think could lead to a better result. At least that is one man's opinion, having been there, having looked at it, and having heard people on both sides over the past two decades.

The subject of Medicare is very much a lead topic. It is the lead story in the New York Times this morning, and it is the lead story all across America. It would be my hope that the leaders could yet come to a resolution of the issue on some sensible terms without having a "gotcha" vote; without moving forward, as the majority leader did a week ago Thursday, on predicting how many Democratic Senators there would be and making it a test case and having a political cost on the vote, but to try to work it through to get legislation finished so that doctors do not get a 10.6-percent cut. I believe there is widespread support in both bodies not to have that cut go into effect and to alleviate the concerns of seniors that doctors will stop taking Medicare patients because of that cut, which is so excessive—legislation which has been pending for a long time. Each year, the cut comes up, and each year, the cut is rescinded.

The core problem on this issue really arises from the difficulties caused by the procedure known as filling the tree. We have seen, in the course of the past two decades, a new procedure adopted where the majority leader utilizes his primacy—that means his ability to get recognition—to offer an amendment and then to offer a second amendment before any other Senator has a chance to offer an amendment, and then no other Senator can offer an amendment.

When the Medicare bill first came up 2 or 3 weeks ago, I talked to Senator REID and said that I would support cloture if the procedures of the Senate were honored and an amendment could be offered. He said he would do that. I voted for cloture.

When the bill came up a week ago Thursday, there was no opportunity to offer an amendment because the House of Representatives had passed a Medicare bill and left town. They do that from time to time. They pass a bill, send it over, and leave town. They present an ultimatum to the Senate: Take it or leave it—a rather convenient way to have a *de facto* amendment to the U.S. Constitution.

The Constitution provides for a bicameral legislature. For those who don't know that highfalutin word, that means there are two bodies. All grade school children know you have to pass a bill in the House and a bill in the Senate, and then it goes to the President for signature or veto. But when the House leaves town, suddenly it becomes a unicameral legislature—a constitutional amendment, all in one fell swoop by buying airplane and railway tickets. Well, I am not prepared to accept that kind of an edict from the House of Representatives or the majority leader or anybody, and it would seem to me that processes were being shortcut. It took the unusual step of writing to the President and urging him to use his constitutional authority to recall the House of Representatives into session during the week of July 4th. I didn't have much expectation that it would be done, but the House ought not to leave town and leave us without recourse to offer amendments, which is our right under the Constitution, and to send it back to the House for their concurrence, and that could be done yet. It is my hope we will move in that direction.

This business of filling the tree is of recent origin. Going back to the 99th Congress in 1985 and 1986, Senator DOLE used it five times. Senator BYRD used it in the next Congress three times. In the next Congress, Senator MITCHELL didn't use it at all. Then, in the 103rd, for 1993 and 1994, Senator MITCHELL used it nine times. Then Senator LOTT picked it up a few times in the intervening years until the 106th Congress, when he used it nine times. Then Senator FRIST used it nine times in the 109th Congress. So far, Senator REID has used it 12 times. That process precludes Senators from offering amendments. That is not the way the Senate has been designed to run.

I was concerned about this and made an extensive statement on global warming and in February of last year, some 18 months ago, introduced a rule change and wrote to the chairperson of the Rules Committee and the ranking Republican urging that that rule be taken up so that the Senate can work its will on preserving the right of Senators to offer amendments. Were that to be done, then when the effort was made on cloture, it wouldn't be summarily dismissed if there was a fair chance to offer amendments.

There has been a major development on the very important issues relating to warrantless wiretapping in an opinion issued by the Chief Judge of the



U.S. district court in San Francisco on the constitutionality of the Foreign Intelligence Act. The case handed down last Wednesday—some 56 pages, very complicated, very important—is on the issues which are being raised in the debate which we are going to have later this week on FISA. This is the same judge who handed down another very extensive opinion on the litigation involving the 40 telephone companies that are being sued in his court, issued on July 20, 2006, some 29 pages. This case is now under appeal under the state secrets doctrine.

Because of their tremendous impact on the issues which we are going to be considering, interested parties may review Chief Judge Walker's opinion in *Al-Haramain Islamic Foundation v. Bush* online at: [http://www.cand.uscourts.gov/cand/judges.nsf/61fffe74f99516d088256d480060b72d/35760d9e4cc920758825747a0082f983/\\$FILE/Al\\_Haramain%20Order%20Following%20Remand%207-2-08.pdf](http://www.cand.uscourts.gov/cand/judges.nsf/61fffe74f99516d088256d480060b72d/35760d9e4cc920758825747a0082f983/$FILE/Al_Haramain%20Order%20Following%20Remand%207-2-08.pdf) and his decision in *Hepting v. AT&T*, located at 439 F.Supp. 2d 974 (N.D. Cal. 2006).

Mr. SPECTER. The core of Chief Judge Walker's opinion is a very important holding, and that is essentially that the Foreign Intelligence Surveillance Act is the exclusive way to have wiretapping and that the President exceeded his constitutional authority in putting into effect the terrorist surveillance program.

This is what Chief Judge Walker had to say:

Congress appears clearly to have intended to, and did, establish the exclusive means for foreign intelligence surveillance activities to be conducted. Whatever power the executive may otherwise have had in this regard, FISA limits the power of the executive branch to conduct such activities.

The Supreme Court of the United States candidly ducked the issue in the case coming out of Detroit. The Federal judge there had held the terrorist surveillance program unconstitutional. The Sixth Circuit reversed on the ground of standing, but, as demonstrated from the scholarly dissenting opinion on the standing issue, there was ample grounds to have granted standing. It is really a very flexible doctrine.

Then the Supreme Court of the United States denied certiorari and in effect ducked the case, really avoiding deciding the most important constitutional confrontation of our era on the President's authority under article II and the congressional authority under article I. But now the fat is in the fire again, as of last Wednesday, with Judge Vaughn's opinion.

Then you come down to the issue of standing, which is still to be determined, but this is what Judge Walker had to say about that:

Both plaintiff amici hint at the proper showing when they refer to "independent evidence disclosing that plaintiffs have been surveilled" and a "rich load of disclosure to support their claims" in various of the multidistrict litigation cases.

So that when you have Judge Walker, who has the consolidation of the 40

cases picking up this issue, there is strong—well, it is more than a suggestion or a hint; it is a pretty extensive statement that there is a rich load of disclosure to support the claims of standing.

The business about the court stripping is always problematic. But it is especially problematic in the context of an ongoing case that is about to reach fruition, where such extensive consideration has been given and a decision may be imminent. It is very unseemly on our doctrine of separation of powers for the Congress to step in and grant retroactive immunity.

This is especially problematic, as I see it, because we are being asked to grant retroactive immunity where there has not even been an on the record disclosure of what we are immunizing. You have the allegations as contained in the litigation—the allegations of data mining—but you have a program where most of the Members of Congress have not even been briefed on it. Yet we are asked to come in and grant retroactive immunity.

It is especially problematic, as I see it, because we could maintain the program and still not subject the telephone companies to liability in a couple directions. The telephone companies have been good citizens. When this matter came up several months ago the first time in the Senate, I proposed an amendment to substitute the Federal Government as the party defending. The party can take over the litigation in the shoes of the telephone companies, with the same defenses, no more and no less than the telephone companies have, no governmental immunity, no sovereign immunity but State secret doctrine, if it applied. That way, you don't foreclose the courts from acting.

There is another alternative, which is my pending amendment—scheduled to be argued and voted upon this week. Our legislation does not give it to the Foreign Intelligence Surveillance Courts but to the district courts generally. But all there has to be is a showing that there was a request made in the proper form by the administration to the judge for carrying out this program, whatever it is. That is under our bill. Well, my amendment would broaden that to give the court the jurisdiction to decide constitutionality.

In a sense, that has already been foreclosed by what Judge Walker said last Wednesday in finding the terrorist surveillance program unconstitutional. The Foreign Intelligence Surveillance Act of 1978 not only covers warrantless wiretapping, but it covers pen registers and it covers trap-and-trace devices. So presumably—and this is all a matter of presumption because we don't know exactly what the program is—it would cover whatever program there is at issue in this legislation.

And then we have the amendment pending by Senator BINGAMAN, which I am working on with him collaboratively, which picks up the obligation

of the inspectors general of the various intelligence agencies to review the program and then to send it back to Congress 90 days later to see if we will uphold it when we know something more about the program. Certainly, today, it qualifies as a pig in a poke. We don't know what it is for which we are asked to grant retroactive immunity. So another alternative would be the proposal that Senator BINGAMAN has introduced, which I have cosponsored, which would call for the decision at a time when Congress at least knows a little something about what it is we are voting on.

In essence, I submit that we have come to a very serious situation where, in the future, historians are going to look back at the period from 9/11 to the present time as the greatest expansion of executive authority in history. The Congress has been totally ineffectual to restrain that. The National Security Act of 1947 requires that both intelligence committees be fully briefed on programs such as the terrorist surveillance program, which was violated by the President and the executive branch. Briefings were not made until piecemeal, and finally they needed the confirmation of General Hayden. It has been longstanding tradition for the executive branch to tell the chairman of the Judiciary Committee and the ranking member about this. It came as a surprise to me by reading the New York Times one Friday in December of 2005, when we were arguing the PATRIOT Act on the final day and expected to pass it, and the legislation blew up in our faces when that was disclosed. Some Senators said they intended to vote for the PATRIOT Act but didn't do so when confronted with the secret program that the administration had not disclosed. But the administration violated the statute and had no recourse. The administration violated the Foreign Intelligence Surveillance Act and could not get a review by the Supreme Court of the United States in the case coming out of Detroit and the Sixth Circuit.

Then you had the hesitancy of the Supreme Court ruling on habeas corpus. In *Rasul*, Justice Stevens's opinion goes at great length to trace the constitutional common-law basis for the right of a writ of habeas corpus, starting with John at Runnymede, which was 1215. There was an alternative analysis of the statute on habeas corpus. The case gets to the District of Columbia Circuit Court, and they ignore the citations of constitutional authority and say: Well, Congress changed the statute and that governs, flying in the face of a Supreme Court direction and order from a superior court. And then the Supreme Court danced around *Boumediene* for a long time. First, cert was denied, and then in an unusual petition for reargument, taking five votes, granted cert because of the ineffective and insufficient procedures of the combat status review board.



So you have a long history of ineptitude—total ineptitude—by the Congress and more than ineptitude by the Congress, complicity in passing the Military Commissions Act and facilitating a free hand by the administration in changing the legislation on habeas corpus. That should not have had an impact on the ultimate result because habeas corpus is a constitutional right, and the Supreme Court finally got around to saying so when confronted with the totally insufficient procedures on the combat status review board. So we have another chance when the FISA legislation comes up. We have a lot of guidance, from what Chief Judge Walker has had to say.

It is understandable that the Congress continues to support law enforcement powers because of the continuing terrorist threat. No one wants to be blamed for another 9/11. My own briefings on the telephone companies' cooperation with the Government—and I speak in terms only of reports and allegations because it is not a matter of record—my own briefings on the telephone companies' cooperation with the Government have convinced me of the program's value, so that I voted for it, even though my amendment to substitute the Government for the telephone companies was defeated in the Senate's February vote. Similarly, I am prepared to support it again as a last resort, even if it cannot be improved by providing for judicial review.

However, since Congress has been so ineffective in providing a check and balance, I will fight hard this week—starting today with this speech—to secure passage of an amendment to keep the courts open. When the stakes are high, as they invariably are when Congress addresses civil liberties and national security, Members frequently must choose between the lesser of two imperfect options. Unfortunately, we too often back ourselves into these corners by deferring legislation until there is a looming deadline or a congressional recess. Perhaps that is why so many of my colleagues have resigned themselves to accept the current bill without seeking to improve it.

I ask my colleagues to look to Judge Walker's opinions as guidance as to what we ought to be doing to back him up on what he has done, in a courageous way, in taking the bull by the horns and declaring the terrorist surveillance program unconstitutional and setting the path for standing.

Although I am prepared to stomach the bill if I must, I am not ready to concede that the debate is over. Contrary to the conventional wisdom, I don't believe it is too late to make this bill better. Perhaps the Fourth of July holiday will inspire the Senate to exercise its independence from the executive branch now that we have returned to Washington.

I thank the Chair and my distinguished colleague from North Dakota for his patience—if he has any. Senator DORGAN customarily does.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I wish to speak in morning business, and I ask unanimous consent to use the remaining time in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

### ENERGY

Mr. DORGAN. Mr. President, I wish to speak about the issue of energy. I understand the urgency of the need to get our energy policies right. We have a very serious problem, I think, in a range of areas. Energy policy is something that affects everybody. They pull up to the gas pump to fill their tanks and wonder how they are going to be able to afford it. If you try to run an airline, you try to stop the hemorrhaging of red ink because of the enormous cost of jet fuel. If you have a trucking company, you are trying to avoid going bankrupt because of the cost of diesel fuel. If you have a family farm, you are trying to get the money together to fill your fuel tanks for the summer and fall harvests.

There is so much that is damaging our economy, as the price of gasoline has gone to \$4-plus a gallon and the price of oil is bouncing around \$140 a barrel. I wish to talk about that. I understand, as a Member of this body, that old saying is that "when all is said and done, more is said than done." I understand how people feel about that. Democracy is painfully slow and, yet, in this case, we face something that is urgent and needs, I think, some haste and speed. I know there are others who look at the legislative bodies, or politics generally, and see windbags in blue suits, and they think there is a lot of discussion and precious little action. I will talk a bit about this issue of the need for action.

We get up in the morning and we, generally speaking, reach for a switch and turn it on and there is light. We might—those of us who need to—plug in an electric razor and shave in the morning. We might decide to have breakfast and turn on a stove and fry some eggs. We could go out to the car and put a key into the ignition and start the engine. There are so many different things we do every single moment of the day that we don't think about, but it represents the consumption of energy—an unbelievable amount of energy, in the form of oil, natural gas, electricity, and coal.

Now, let me describe for a moment where we find ourselves. This great country of ours—and there is nothing like it on the face of the Earth—has an unbelievable appetite for oil. Sixty to seventy percent of our oil comes from outside our country. We stick straws in the Earth and suck out oil from the planet every day. We suck 85 million barrels a day out of the planet Earth,

and 21 million, or one-fourth, is destined to be used in the United States of America. That describes to you how much of an appetite we have for oil.

We use a substantial amount of the Earth's oil. Seventy percent of the oil that we use is used in vehicles. So that consumes a substantial amount of our oil.

The runup in price has had such a dramatic impact on this economy and on American families. I want to describe a bit about that today.

Some would say the price of oil has increased because it is supply and demand. Right? Greater demand, less supply; therefore, a higher price. But that is not true. I would like someone to name for me one thing that has happened in the past year with respect to supply and demand that justifies a doubling of the price of oil. You can't do it. I will stand here for 3 days. You can't do it. Nothing has happened in the last year with respect to supply and demand that justifies doubling the price of oil. If anything, exactly the opposite should have been the case. We are using less fuel in the United States right now than we did in the equivalent period a year ago. We drove about 5 billion fewer miles. That means demand is down. Supply is up.

The closing month inventory of crude oil for the first 5 months of this year has supplies increasing. If supplies are increasing and demand is down, what should happen to price? It should go down. But the fact is, the price has gone up like a Roman candle, just up, up, straight up.

As I have indicated, the OPEC countries are blissfully happy going to the bank to deposit our money in their bank accounts. The big oil companies have a permanent grin. They love depositing our money into their bank accounts. Everybody loves it except the consumer who is paying through the nose for gasoline—\$4, \$4.50 a gallon for regular gasoline.

There are a lot of things that need to be done in energy. We need to produce more, yes. We need to conserve more, certainly. We need more efficiency in all the appliances we use. We certainly do that. And we ought to have a national commitment toward renewable energy sources. We ought to do that, all of that.

I support drilling offshore. I am one of four Senators who helped open what is now lease 181 in the Gulf of Mexico. That is now open, and that is good. Hurricane Katrina came through the gulf—we are never going to have a bigger wind than that through the gulf—and those offshore platforms withstood. There was no oil leakage in the gulf as a result of that hurricane.

We can get those resources, in my judgment. Some say the hood ornament is ANWR. We have to drill in ANWR in Alaska. It is one of the few pristine areas put away for future generations in legislation signed by Dwight Eisenhower.

In any event, that is not where the major oil deposits are. The major deposits are in the Gulf of Mexico, and we ought to drill more there. I support that. We ought to conserve more, much more. That includes more fuel-efficient vehicles. In fact, we did that, the first time in 27 years we required a 10-miles-per-gallon increase in the efficiency of vehicles in 10 years.

There is so much we can and should do to solve this problem. But what has happened in the last year with respect to energy prices is, in my judgment, largely unconnected to what I just described. Let me tell you what I think is happening.

There is an unbelievable amount of speculation in the oil futures market. Let me describe it. This is the growth of speculation in the oil futures market. In the year 2000, 37 percent of the trades in the oil futures market was by speculators. Today it is 71 percent. That market has largely been taken over by speculators or, as Will Rogers described 80 years ago, people buying things they will never get from people who never had it and, by the way, buying it with money they never had. This is an unbelievable amount of excess speculation driving up prices.

This morning in the Washington Post there was a well-written story by a journalist named David Cho. The story was: "Pension Funds Boosted By Oil: While Stocks Fall, Commodity Bets Are Paying Off."

This was a story about CalPERS and other pension funds moving billions and billions of dollars into the futures market. In fact, investors, including pension funds and Wall Street speculators, have increased their investments in the futures market from \$13 billion in 2003 to \$260 billion today. Think of that. From 2003 to 2008, you go from \$13 billion to \$260 billion moving into this marketplace, which is not a particularly large marketplace. We produce 85 million barrels a day coming out of the Earth, and we trade 22 times that amount every single day. We have these dramatic amounts of additional speculation, especially by pension funds coming into this marketplace. Then we have brain-dead people walking around saying: What speculation? We don't think there is any excess speculation. This is simply the market working. Nonsense. That is unbelievable nonsense.

The article says:

For decades, trading commodity contracts was considered taboo by most pension funds because the market is so volatile and risky.

All of the sudden risk doesn't matter so much, I guess. Just jump in with both feet right smack into the oil futures market, grab a bunch of it, and see what happens. I don't understand that. Where do we find all the cards with which to build this house of cards?

Walter Lukken, acting chairman of the Commodity Futures Trading Commission—

By the way, they are the regulators. They are the referees, the ones wearing

the striped shirts carrying the whistles and supposed to call the fouls—

Walter Lukken, acting chairman of the Commodity Futures Trading Commission, said the price of oil and other goods is going up simply because demand is outstripping supply. "It's our proposition that strong fundamentals are at play, driving higher commodity prices across the board."

That is our regulator saying: What, we worry? I don't see anything happening.

Let me remind everyone again of the amount of speculation that has gone up in 5 years. This market was 37 percent speculators. It is now 71 percent speculators. That is a study that was done by the House Subcommittee on Oversight and Investigations. So the head of the regulatory authority says: You know what. I don't think anything is going on. I am blissfully happy here, going to work in the mornings, and I am perfectly willing not to see what exists.

Let me describe a chart I think is one of the most interesting charts with respect to oil prices. I put this chart together to show the Energy Information Agency—we spend \$100 million on this agency. They are an agency that is not about policy. They are to give us information on energy and give us their best judgments on energy prices, among other things. Here is what they have said.

The yellow line shows the following: In May of last year, they said: Here is where we think the price of oil is going to go. And in July, they said: It is going to be higher than that. Here is where we think it is going to go, up to 2009. Then in September, they made another estimate a little higher: Here is where we think it is going to go. Last November: Here is where we think the price of oil is going to go in the next year. January: Here is where we think it is going to go.

Can you imagine that? This is the best agency we have, the Energy Information Administration, with which to make judgments, and how did they make judgments that were so unbelievably wrong? I had the head of this agency before my subcommittee the week before we left for the recess. He couldn't answer the question. This must be an embarrassing chart for the smartest guys in the room.

I said: Let me answer it for you. If you can't answer it, let me answer it for you. I taught economics in college ever so briefly but enough so I think I can answer this chart.

The reason our agency has been wrong, so consistently wrong all the time every time they made an estimate—here is where the price of oil is going to go, instead it went like this, straight up—is because this market has been taken over not by supply-and-demand relationships but by speculators. They are up to their necks deep in speculation. So this line, the red line, could not possibly be determined by an agency that is looking at supply-and-demand fundamentals because this

does not relate to anything except an orgy of speculation by people who want to get into the market and make big bucks so we deposit our money into their bank accounts.

The senior vice president of ExxonMobil in April said the price of oil should be about \$50 or \$55 a barrel. I suppose he is looking at things such as supply and demand.

Fadel Gheit came to the Congress—this guy worked for 30, 35 years for Oppenheimer Company. He was their resident expert on energy. Here is what he said:

There is no shortage of oil on the world market today. I'm convinced that oil prices shouldn't be a dime above \$55 a barrel. I call it the world's largest gambling hall, open 24/7. Unfortunately, it's totally unregulated. This is like a highway with no cops, no speed limit, and everybody going 120 miles an hour.

Then the Energy Secretary, a man I like, a good guy, said:

There is no evidence that we can find that speculators are driving the futures prices for oil.

This apparently is the new master narrative. Just say nothing is happening and then hope nobody can discover something that is happening.

The problem is, every hour of every day the American people drive up to the gas pumps and discover what politicians—at least some of them—are insisting doesn't exist. It is unbelievable to me.

In every circumstance where there has been dramatic excess speculation in the market and the market becomes broken, it is the responsibility of the Congress to set it right.

I have introduced legislation, and there are half a dozen pieces of legislation around here to try to address this issue.

I understand we will have discussions all of July about this situation, and I understand the inclination, perhaps, by some will be to decide we ought to do something without teeth. If we can just do something and say we did something and it has no grip or bite, we can all go home, thumb our suspenders, and even puff on a cigar for those who smoke, and say: We did it, the United States Senate, good for us. It is not good for us unless it is something that has an impact on a market that is broken. Let me describe the legislation I introduced. It is called the End Oil Speculation Act of 2008. That describes exactly what it would do. It requires the regulator, the Commodity Futures Trading Commission, to separate trades in the futures market for oil. One set of trades would be trades between consumers and producers of a physical product for the purpose of hedging risk. That is precisely what the market was established to do. That is exactly what the market is about. It is why we have a futures market. A futures market is necessary and is there because it is needed to hedge risks of a physical commodity.

We would require the Commodity Futures Trading Commission to separate

those trades. Other trades then are defined as speculative trades, and a 25-percent margin requirement would be applied to those non-legitimate hedge trades. Why that? The fact is, if you are going to speculate in stocks on margin, you have to put up 50 percent of the money. If you want to control oil on margin, put up 5 percent or 7 percent maximum. Let's quintuple that to 25 percent and see if we can wring the speculators out of this market. If you are engaged to speculate on one side or another of a legitimate hedge for the trading of a physical commodity, as far as I am concerned, that is what the market is about. You should not be subject to this new requirement. But if you are just out there trying to figure out how to play bingo with this oil market, despite the fact you do not even know what oil looks like, you couldn't lift a 5-gallon can if your life depended on it, don't want to see oil, don't want to store it, you have no interest in oil—what you are interested in is making money, then this increased margin requirement should apply to you.

We have hedge funds and investment banks that are up to their necks in these markets. They have no interest in oil. We have hedge funds for the first time in history buying oil storage in order to buy it, take it off the market, store it, so that it becomes more valuable later, and they sell it and make a profit. The problem with all of this is the country's economy is being damaged, and we have a responsibility, I believe, to try to fix these kinds of problems when they exist.

I know that we will have a discussion this week and this month about four or five different approaches. And I know they will all have great labels. When I grew up, my neighbor, Herman, an old man—he had rheumatism, he wore suspenders and never traveled much off his front porch. And he had a dog. His dog was a three-legged, one-eyed dog with fleas. He called him Lucky. I thought: That name doesn't fit a three-legged dog with one eye with fleas. But Lucky actually answered to the call of "Lucky."

We do that with legislation around here, some of us. I shouldn't say "us" because I try not to do it. They package legislation and label it as if it is going to do something.

The only issue at the end of the day in the Senate in terms of dealing with this energy urgency—and I believe it is urgent—the only issue is have we done something that has some bite and grip and starts to fix a market that is broken? Have we decided to wring some of this speculation out of this market and put energy prices back where they ought to be?

Let me point out once more that, according to the House Subcommittee on Oversight and Investigations, who did an evaluation of this, 71 percent of the trades in the oil futures market is now speculative—pure speculation—as opposed to the non-speculators who are

using that market for the purposes which it was intended. I say to all those who say: You know, speculation—what speculation? I see nothing, hear nothing, know nothing. Well, I say: Look at this EIA chart again and try to figure out what this line means. Most Americans understand exactly what this line means. It is what they have to pay at the pump every time they take the gas cap off their tank. And they know where it is going. A fair amount of that is going to OPEC.

By the way, enough of that spills from the barrel to fund some terrorism. In addition to all that, a substantial amount is going to the major integrated oil companies. I might observe here that some say: Well, that is important, because they need to invest in additional exploration. The largest oil company in this country spent twice as much last year buying back its stock as it did drilling for oil. That is all you need to know about that.

The American people need this Congress to address this issue now, in the month of July. This country's economy is in substantial difficulty for a lot of reasons. We have a lot of speculation, a lot of risk created in a whole range of areas.

Take a look at the subprime loan scandal. Evaluate what has happened as a result of the collapse of home values and the subprime loan scandal—all these issues together—and what it has done to our economy. And put on top of that this dramatic runup in energy prices, and on top of that look at the President's budget where he says: Oh, by the way, I want you to pass a budget that has a \$420 billion deficit.

Except that is not what the deficit is. The deficit is not what the President says it is. It is how much the President says we have to borrow to keep the Government going this year, which is over \$700 billion. We have a fiscal policy off the trail, with \$700 billion a year, and we will borrow \$800 billion because of our trade policy this year, due to trade deficits. So \$700 billion, \$800 billion, and that is \$1.5 trillion in 1 year of red ink, with a \$14 trillion economy. That is slightly more than 10 percent of this entire economy's value represented by red ink. That is unsustainable. It doesn't work.

Look, I am an optimist. I believe we can fix all this. I believe we can put this country back on track, with a sound fiscal policy that says let's pay for that which we use. If we are going to spend money, let's pay for it. We can say if we are going to send soldiers to war, we can at least ask the American people to pay for the cost of the war. We can decide to crack down on oil speculators, and mortgage sharks who are peddling bad mortgages around the country. In all cases, whether it is the oil futures market or whether it is the financial area, it requires regulators who are not brain dead and who are willing to come to town to have effective regulation and make sure that markets work.

I believe we can fix all of these things, but we don't have a lot of time. This economy, I think, is a fragile economy. It is strong and resilient. But you lay these four things on top of it, and it becomes a fragile situation that requires action by us. I know that because I was in North Dakota all of this past week.

I saw a letter to the editor today saying: Well, the problem with all of this is the Democrats. The Democrats are causing all this. That is such sheer nonsense. Going back to 2001—talking about oil, the subprime mortgage scandal, and others—we had regulators coming to town who said: You know, we don't even like Government, and we would love to be a regulator to say we are not very interested in regulating. In fact, we don't need to put on a striped shirt. We don't have a whistle. We want to come here and say things are going to be better. We won't look.

I chaired the hearings in the Commerce Committee on the Enron scandal. I had Ken Lay come in front of my committee, raise his hand and take the oath, and then take the fifth amendment. He is now dead, but there are a number of those he worked with who are now in prison, because part of that was a criminal enterprise and the regulators weren't willing to look. Now, I am not alleging that is the case with the futures market, but I am alleging this market is broken and causing dramatic injury to every American family. This country's economy and the American people can and should expect us to take action.

My hope is that in the coming week or two we can pass some legislation. I hope that legislation will closely resemble the End Oil Speculation Act, in which we require the regulatory body to use its existing authority to do two things: Separate the legitimate hedging that occurs, and should occur in this marketplace, from excess speculation, and then wring out the excess speculation in order to begin to put some downward pressure on prices.

The American people deserve the right to expect that from their Government. I hope my colleagues and I can overcome what has been for too long in this Chamber a dramatic amount of stalling and obfuscation by those who dig their heels in and don't want to make any progress on anything. So my hope is that perhaps in the coming month we will be able to make some progress.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

UNANIMOUS CONSENT  
AGREEMENT—H.R. 6304

Mr. REID. Mr. President, I ask unanimous consent that the previous order with respect to H.R. 6304—that is the FISA legislation—be modified as follows: that all debate time on the amendments must be utilized during Tuesday's session; and that on Wednesday, at 9:30 a.m., immediately after the opening of the Senate, the Senate resume H.R. 6304, with the debate time previously specified prior to the cloture vote commencing at that time; with Senator BINGAMAN controlling 10 minutes of the time controlled by the majority leader; and that after all debate time has been used or yielded back, the Senate then proceed to vote in relation to the amendments, that upon disposition of the amendments, the Senate then vote on the motion to invoke cloture, and then passage, as previously ordered; provided further that the previous order with respect to debate time between votes and the vote time and sequence and all other provisions of the previous order remain in effect.

Mr. President, if the Chair would withhold, this is the matter about which I spoke to the Senate earlier today. I, of course, have conferred with the distinguished Republican leader. What we want to do—the order is set now that we would do all the debate time and all the votes tomorrow. We are not sure how late the plane will be getting back from North Carolina. This morning we had one Democratic Senator—there may be two or three—now going to North Carolina.

So rather than having people who are here waiting around until the plane gets back, we will complete all the debate tomorrow, and then vote, and have all the time used up except what I have outlined here, Wednesday morning. I would assume we would start voting probably at around 11:15, and we would complete those votes well before the caucus of the Republicans on Wednesday.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, if I could also inform Senators, there are storms in the Midwest and, as a result of that, we have received calls. I guess what happens after a holiday, we have Democrats and Republicans who may not be here 20 minutes after 5:30. We are not going to do any heavy lifting after the vote tonight anyway, so we are going to keep the vote open for a while to see if some Senators who would like to be recorded—I do not think it will be a close vote—have that opportunity, both Democrats and Republicans. As everyone knows, we have had a rule around here that, unless it is a close vote, we close it as quickly as we can after the time has expired. We will continue doing that. But I thought tonight it would be appropriate to not cut people off because of these flights being delayed.

Also, of course, the previous order with respect to counting postcloture time, if cloture is invoked—there is an order already in effect for that—and that would remain as if cloture had been invoked at 5 p.m. today. We will invoke it a little later today when the time is up.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, what is the business of the Senate?

AMERICAN HOUSING RESCUE AND  
FORECLOSURE PREVENTION ACT  
OF 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 3221, which the clerk will report.

The legislative clerk read as follows:

A message from the House of Representatives to accompany H.R. 3221, an act to provide needed housing reform, and for other purposes.

Mr. DODD. Mr. President, we only have a few minutes before there is a rollcall vote. I wish to take a few minutes to give my colleagues an update on where we stand on this issue.

The cover story in today's Congressional Quarterly Weekly is devoted to the housing crisis. One of the opening paragraphs in the story reads as follows:

U.S. companies eliminated 91,000 jobs in June, on top of the 487,000 dumped in the previous six months. Car sales fell last month to their lowest level in 15 years. . . . Much of this bad economic news comes back, at some point, to the collapse in house prices and the resulting foreclosures.

As we all know and as the article points out, home ownership is the largest investment most Americans will ever make. Middle-class families use home equity as a cushion against uncertainty, to finance a secure retirement, college costs, health care expenses, and the like. "Now," to quote the Congressional Quarterly article again, "that has come to a crashing halt, leaving many in the middle class working harder than ever and yet still hard-pressed to make ends meet."

That brings us to where we are today, with the consideration of the Housing and Economic Recovery Act of 2008, which the Banking Committee, which I am pleased to chair, reported out with a 19-to-2 vote. I compliment Senator SHELBY from Alabama, the ranking Republican of the Committee, with whom I worked closely over the past number of months in grappling with the housing issue.

Among the key elements of this bill is a new program to provide relief to

these homeowners who would otherwise suffer through foreclosure—a provision that would help them salvage their American dream.

It was my hope that this bill would have been on the President's desk by now, but regrettably we were unable to achieve that goal because of unfortunate delaying tactics. That failure has consequences. Because we failed to take action, there have been approximately another 90,000 foreclosures that occurred over the week we were home during the Independence Day break. Had we passed the legislation and sent it to the President, as I argued for, before July 1, I think we would have avoided some 90,000 filings that occurred during the period we were on this recess. Not only are these families threatened with foreclosure, but their neighbors and their communities will see falling home prices, rising crime rates, and fewer resources for local schools, police, fire, libraries, and other services.

I remind colleagues that this legislation has proven time and again to enjoy strong bipartisan support. In fact, shortly before we left for the recess, this bill passed by a vote of 79 to 16 on a cloture motion. Yet, because of a technicality, this measure is now being held up by one Senator because that Senator wants to add another vote on a completely unrelated matter.

Let me review for my colleagues, as we prepare to renew our discussion on this bill, exactly what it is we are talking about and why it is so hard to achieve. The bill we are working on has a number of very key elements, all of which have been supported by strong bipartisan votes in either the Banking Committee or on the floor of the Senate.

First, we have the HOPE for Homeowners Act, which will help 400,000 to 500,000 American families save their homes from foreclosure. These families were simply seeking the American dream of home ownership. Sadly, in case after case, they were led astray, steered into mortgages they could not afford, often by mortgage brokers and loan officers who pretended to be trusted financial advisers but were really only out to make a buck for themselves. The HOPE for Homeowners Act is a voluntary program that will help save these homes by forcing the lenders to choose to participate and take significant losses. There are no bailouts here. The homeowners will have to pledge at least 50 percent of all new equity and future appreciation in order to get the benefit of the new FHA-insured mortgage.

There are many protections built into the program: Only homeowners can qualify; no investors or speculators will be allowed to participate; borrowers would have to show they cannot afford their current mortgages; and all loans will be underwritten at a level the borrower can afford to pay. New loans will be 30-year fixed-rate mortgages.

All of this is done at no cost to the taxpayer. In fact, over the next 10 years, the Congressional Budget Office tells us that the program could actually raise some \$250 million for the Treasury.

This provision, combined with the GSE regulatory reform section of the bill, passed the Banking Committee by a vote of 19 to 2, receiving strong bipartisan backing.

We desperately need this legislation. As I have said over the past number of weeks, every day that we wait, somewhere between 8,000 and 9,000 new foreclosures are filed in our country.

In late June, the census reported that the home ownership rate, after reaching an alltime high in 2005, fell to 67.8 percent—the sharpest decline in home ownership in 20 years. Minorities, who were disproportionately likely to get subprime loans, are suffering especially badly. That is why this legislation is widely supported by the community and civil rights organizations around our country. They see a generation of wealth being lost as a result of this foreclosure crisis.

The Senate expressed its strong bipartisan support for the HOPE for Homeowners Act when it defeated an amendment to strip this program out of the larger bill on a vote of 69 to 21.

Second, the bill includes the FHA Modernization Act. This passed in early April as part of the Foreclosure Prevention Act by a vote of 84 to 12 in this body. The provisions in the current bill are identical to that legislation, with the exception that the loan limits have been increased in high-cost areas to a maximum of \$625,000.

As the administration has repeatedly said, modernizing the FHA program will put it in a far better position to help keep future borrowers away from subprime loans.

A number of our colleagues have spent some time citing the problems at FHA. Clearly, FHA has suffered some losses in recent months, as have all players in the mortgage market. Yet the program has about \$18.5 billion in reserves, and the performance of FHA loans improved over the past quarter, even as the performance of both prime and subprime loans has declined, according to data provided by the Mortgage Bankers Association.

Moreover, for the past several months, credit scores of FHA borrowers have been rising, and the percentage of refinance loans—loans to borrowers with a proven track record of making timely payments—has actually increased. In addition, this bill eliminates the seller-funded downpayment assistance program which has been the largest source of losses in the FHA program.

In other words, with its hefty reserves, an improving mix of business, and the reforms in this bill, we can have confidence that FHA will be safe and sound for years to come.

Third, this legislation creates a strong and effective world-class regulator with the housing government-sponsored enterprises—Fannie Mae, Freddie Mac, and the Federal Home Loan Banks. These entities have kept the housing and conforming mortgage markets going while other capital markets have frozen.

Madam President, I ask for 2 additional minutes.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

Mr. DODD. We need to make sure these crucial market players are appropriately capitalized, well regulated, and properly supervised so the American people can continue to depend on them to ensure that affordable mortgages are always available. Recent losses at Fannie Mae and Freddie Mac speak to the urgency of this need, and the bill before us accomplishes that goal.

Finally, there are other important provisions in this bill. The bill includes \$3.9 billion in community development block grants to help local communities revitalize neighborhoods devastated by foreclosures. All the major organizations representing Governors and mayors across the country strongly support this provision as well.

Lastly, this bill also has an affordable housing program in it which is absolutely critical for the long-term needs of our country.

In short, this is a good bill. It is a balanced bill that goes to the heart of our Nation's current economic problems. The bill has very broad support, including from the Conference of Mayors, the League of Cities, the Mortgage Insurance Companies of America, the Leadership Conference of Civil Rights, the Mortgage Bankers Association, the Consumer Federation of America, the National Association of Homebuilders, the NAACP, ACORN, the Financial Services Roundtable, and numerous other business, consumer, and civil rights organizations.

Senator SHELBY and I urge that this legislation be supported. I hope we have a chance to pass it quickly, to send it to the other body for their consideration, and then give this bill to the President for his signature. This will be the major achievement and accomplishment of this Congress, when it comes to dealing with the underlying economic crisis which, at its heart, is the foreclosure rate.

I appreciate the indulgence of the Chair. I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule

XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the amendments of the House, striking title VI through XI, to the Senate amendment to H.R. 3221, the Foreclosure Prevention Act.

Harry Reid, Christopher J. Dodd, John D. Rockefeller, IV, Debbie Stabenow, Jeff Bingaman, Ken Salazar, Joseph R. Biden, Jr., Max Baucus, Patty Murray, Barbara A. Mikulski, Charles E. Schumer, Sheldon Whitehouse, Sherrod Brown, Bill Nelson, John F. Kerry, Robert P. Casey, Jr., Benjamin L. Cardin, Frank R. Lautenberg.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that the debate on the motion to concur in the amendments of the House, striking title VI through XI, to the Senate amendment to H.R. 3221, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Illinois (Mr. OBAMA), the Senator from Arkansas (Mr. PRYOR), and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Minnesota (Mr. COLEMAN), the Senator from Nevada (Mr. ENSIGN), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Mr. GREGG), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from South Dakota (Mr. THUNE), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Minnesota (Mr. COLEMAN) would have voted "yea."

The result was announced—yeas 76, nays 10, as follows:

[Rollcall Vote No. 163 Leg.]

#### YEAS—76

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murray
Allard	Feingold	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Grassley	Reed
Bennett	Hagel	Reid
Biden	Harkin	Roberts
Bingaman	Hatch	Rockefeller
Bond	Hutchison	Salazar
Boxer	Inouye	Sanders
Brownback	Isakson	Schumer
Byrd	Johnson	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Clinton	Leahy	Stevens
Cochran	Levin	Sununu
Collins	Lieberman	Voinovich
Conrad	Lincoln	Warner
Corker	Lugar	Webb
Craig	Martinez	Whitehouse
Dodd	McCaskill	Wyden
Dole	McConnell	
Domenici	Menendez	

## NAYS—10

Barrasso	Cornyn	Inhofe
Bunning	Crapo	Kyl
Burr	DeMint	
Coburn	Enzi	

## NOT VOTING—14

Brown	Kennedy	Tester
Coleman	McCain	Thune
Ensign	Murkowski	Vitter
Graham	Obama	Wicker
Gregg	Pryor	

The PRESIDING OFFICER (Mr. SANDERS). On this vote, the yeas are 76, the nays are 10. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. KYL. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KYL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## HONORING OUR ARMED FORCES

## STAFF SERGEANT TRAVIS K. HUNSBERGER

Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the life of SSG Travis K. Hunsberger from Goshen, IN. Travis was 24 years old when he lost his life on June 27, 2008, in Tarin Kowt, Afghanistan, from injuries sustained from an improvised explosive device. He was a member of the 2nd Battalion, 7th Special Forces Group of Fort Bragg, NC.

Today, I join Travis' family and friends in mourning his death. Travis will forever be remembered as a husband, son, brother, friend, and soldier. He is survived by his loving wife Hannah; his parents Steve and Ronda Hunsberger; his sister Kelsey; and his brother Kyle.

Travis graduated from Northwood High School in 2002 and attended Ball State for 2 years before enlisting. A family man, Travis invited his parents to Fort Bragg to witness a reenactment of his wedding. Travis had served once before in Afghanistan and sustained an injury, yet he never wavered in his commitment to his country or to the U.S. Armed Forces. Prior to Travis' redeployment, his father, Steve Hunsberger, told a local reporter that Travis had a choice of being on an "A

team" or a "B team," with the A team serving in a "more dangerous realm." Travis, unwavering in his bravery, chose the "A" team. His dedication to his country "is what brought him his greatest happiness," Kent Norr, associate pastor at Wakarusa Missionary Church, said. These words illustrate the passion Travis had for serving this nation, and his memory will endure through the many lives he touched.

While we struggle to express our sorrow over this loss, we can take pride in the example Travis set. Today and always, Travis will be remembered by family, friends and fellow Hoosiers as a true American hero, and we cherish the sacrifice he made while dutifully serving his country.

As I search for words to do justice to this valiant fallen soldier, I recall President Abraham Lincoln's words as he addressed the families of soldiers who died at Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as we can take some measure of solace in knowing that Travis' heroism and memory will outlive the record of the words here spoken.

It is my sad duty to enter the name of Travis K. Hunsberger in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this struggle in which we are engaged, and the immeasurable pain that comes with so great a loss, I pray that Travis' family can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Travis.

## STAFF SERGEANT JAMES P. SNYDER

Mr. President, I also rise today with a heavy heart to honor the life of the brave staff sergeant from Nappanee, IN. James Snyder, 48 years old, died on May 10, 2008, at Fort Benning, GA, from injuries sustained in January from a roadside bomb explosion in Baghdad, Iraq. With an optimistic future before him, James risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

For James, military service was a family tradition. His family has valiantly served in the military since World War I, and James was proud to take up that mantle. Originally from Columbus, IN, James was a lifelong Hoosier. He graduated from Wawasee High School and joined the Armed Forces in 1989. A career soldier, James was on his 3rd tour of duty in Iraq

when he was injured. He also served in Operation Desert Storm in 2005.

Those who knew James best recall a patriotic man who loved history. He was devoted to his family and cared deeply for his fellow soldiers. During his time at Fort Benning, he often spoke of his need to return to Iraq to take care of his comrades. His great example of service and character inspired his two nephews, Jeremiah Mench and Steven Keller, to enlist in the Army.

Today, I join James' family and friends in mourning his death. James will forever be remembered as a loving husband, father, son, brother, and friend to many. He is survived by his wife Christine Hochstetler; his children Dourlas, Karlene, and Joseph; his mother Donna; his brothers David, Daniel, and Paul; and his sisters Lorree, Laura, and Neva.

While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of James, a memory that will burn brightly during these continuing days of conflict and grief. Today and always, James will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring James' sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of James' actions will live on far longer than any record of these words.

It is my sad duty to enter the name of James P. Snyder in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the pain that comes with the loss of our heroes, I hope that James' family can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with James.

## IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by



the hundreds. The stories, numbering over 1,000, are heartbreaking and touching. To respect their efforts, I am submitting every e-mail sent to me through [energy\\_prices@crapo.senate.gov](mailto:energy_prices@crapo.senate.gov) to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

Sen. Crapo: Thanks for your inquiry into my response to rising fuel prices. I have changed my job so I can more easily bicycle to work and I do so nearly every day. Beyond that, no changes for me! Personally, I think fuel prices rising a few bucks more would be a great thing, and in Republican market economy thought, let the market determine the price!

I think increases in nuclear energy would be a very poor idea considering current technology and waste storage issues. I would, however, support resumption of research into the Integral Fast Reactor at the INEL.

Increased production from the ANWR is also a bad idea. This is doing nothing but wasting choice American oil supplies when they may be truly needed later. It would, of course, increase the profit margins of the oil companies. Exploit the tar sands and oil shales while prices are high enough to make them economically viable.

I'm fully supportive of increased funding of alternative energy systems and mass transit. I applaud your efforts to bring AMTRAK back to Boise. Rising fuel prices will also ensure that more people use public transportation.

I believe that our best efforts (and perhaps an increase in fuel taxes would be necessary) should be to find new and improved energy STORAGE systems. Solar, wind, tide and other renewables supply more than enough energy, but they are intermittent at best. Improved storage systems could fix that. How about a Hoover Dam-sized project to build a giant turbine (or 2 or 3) in the Gulf Stream off the coast of Florida?

Conservation of America's vital natural resources is paramount. Just look to the oil booms of Ohio and Pennsylvania in the 1870s for a bit of guidance. When the resources are used up, they are gone forever. What is more important, short-term profit or long-term prosperity? The U.S. needs to be at the world forefront of energy, not stuck in a 1950s oil-powered economy!

Best of luck, Senator.

JOHN, Boise.

Hello, I am an under-employed degreed person. I became a single mother about 8 years ago. I have a college degree in general science, and an Associate's degree in Horticultural Sciences. I was a pre-med student for the first four years of my college life. Currently I do not have a job at all. During the school year, I work part-time in the local school system as a "para-professional," which means I will never be employed full-time by the school system, but I will be expected to go over and above for my students, which I do! I gladly work extra to ensure the school is a safe, caring place with an envi-

ronment for learning. The school is a rural, "one-room" school in Clearwater County. It is absolutely a wonderful place!!! I do so wish I could be making a living during the years of employment here, but the pay is very low, and not a living wage, as the local job service people say.

I feel education is the key for the success of the upcoming generation of young people. Obviously, I have financial challenges. I also have six children, who I have home-schooled, and also enrolled them in public school for the last few years, usually when they reach high school. I was certified in secondary ed years ago, and have not had the resources to re-establish that certification. I also think it is important to acclimatize the student to the big world outside the home. I have been successful with them. Three of my sons attend, or have attended, the University of Idaho. One son is stationed in Iraq, since November, 2007, which has been a learning experience for everyone around us. My other two are still in school, and as most of the others are straight A students. One is even thinking of applying to West Point next year. I think he can do whatever he sets his mind in motion to accomplish.

My experience with the gasoline/petroleum crisis is that I am spending so much on gasoline to transport myself, my kids, and accomplish daily tasks that little is left for life. I love visiting my boys in Moscow. The price is now prohibiting much of that, unless I make an excuse. I miss my boys, and they cannot afford to come see me!! They make very little between classes, and the high price to just go visit Mom is too much of a chunk out of their minimum incomes. I remember when I worked in high school and college, buying gas was not something you had to spend most of your money on. The price was low enough that you just filled up, not worrying about working three days to afford your tank of gas!!! How can they, or myself, ever get ahead????

I feel that Congress should be moving forward on finding other methods of energy for the vehicle. I do not think releasing petrol reserves or more drilling is the answer. We should be thinking of the future with minor dependence on oil. Our country has been trained to live in our cars and, while that is not bad, we need to find another way to fuel them. I personally do not think forcing everyone to live in town is the answer. I would never survive in a town, I need my open spaces. I also could pursue more education, but the colleges are becoming farther out of reach because people will not be able to afford to go. That is not right. I should not have to accept unsatisfactory employment to live out of town. The out-of-towners are where much of the brains of the world come from. If it keeps going like it is, I will not even be able to get to the grocery store, much less into town to purchase gasoline! I won't even be able to get to a job, because my job is out of town! What about the farmers who make their living, and also make America run, they should not be punished because they are from out of town. It could become an elitist society again. No doubt this problem could divide America as never before.

I heard today that Boise, Idaho, was named as the second most livable town in the country. I have only lived here for 14 years, but I am happy to hear that. I feel Idaho is a wonderful place to live. I would like to see that continue. There are those of us, a big number, who would be in serious crisis, if the price of energy, even just gas continues to spiral upward. I am not sure what will happen. We are also rural we have no TV reception, and only dial-up internet. I can see a lot of people who will be in a world of hurt as they say. We have not had time to make

disaster plans for this. This could be a life-altering crisis that has the potential to be as great a disaster as any naturally caused. Local law enforcement could be greatly taxed with people asking for assistance for day to day survival.

I really believe that developing the new technologies for energy usage will be the key to America and Idaho's success. We must think of the future, and I believe less dependence on oil, smarter cars, and using resources with extreme caution is the only way to ensure next generations of Americans that our nation is as great as it has ever been.

Thank you for your time,

SHARON, Orofino.

Senator Crapo: I am a single woman of 87, raising a 10-year-old great grandson who lives in Boise, Idaho. Now Idaho Power has gotten another raise and that along with over \$4.00 a gallon for fuel, I now either have gas to get to the store or medicine. With a 10-year-old, food is most important. (No regular bus service; besides it costs \$2.00 to go to and from the closest grocery store by bus.) I sold my car and the pickup that belonged to my late husband (1992 Ford) and, with the help of my grandson, my church, and the Kia dealer in Nampa, I have a small car that gets around town but not good enough that if one of my children in Hammet or Jerome were to become seriously ill. I would be afraid to drive it that far. I now have an automobile that I am afraid will break down instead of a dependable one all because of the price of fuel.

Question is why was Idaho Power allowed to let Washington Power and Light take the power from the power plant at Lucky Peak for less than it costs the citizens of Idaho per kilowatt?????

Along with this I have worked all of my life and paid into Social Security. I worked for a doctor who did not pay the taxes which he was required to and now my check is approximately \$300.00 less than it would have if he would have paid in those six years. He has since retired and taken out bankruptcy, and those of us who he shorted are not going to get anything because his attorney was allowed to prolong any legal action over the time limit. Now Social Security is going to take over 186.00 from my check to pay for insurance, which is not going to pay any of my bills. Yet they are allowed to automatically deduct this. Have you ever tried to feed yourself, a ten-year-old, pay property taxes and buy medicine on \$517.00 a month?

Probably not, and all of the good Senators and Representatives will never know because they do not, from my information, fall under Social Security.

I am sending this; however, I am sure it will not do any good. After all the last time that I contacted you, nothing came of it and further I got penalized 1 per cent of my check for doing so. I wish every Congressman and government official would have to live for just 6 months like over 46% of the American people do.

MARY, Boise.

P.S. Please have your staff continue to waste money sending me and many others who have come to you for help asking us to donate to your cause.

Dear Senator Mike Crapo: Thank you so much for the opportunity to share my thoughts with you. I do think your asking for stories from people is an excellent idea.

Many decisions we make can seem O.K. at the time, but then actions outside our control can turn those decisions into problems. Like deciding where we want to live. While gas was cheap, families decided they wanted big houses outside the city and then would



commute into Boise. Now that so many people have moved out of town, it is like flushing good money and good air away as people drive back into town to work. Instead of spending money on adding two more lanes on the freeway, money should go to provide more options to get people out of their cars. I have a friend who used to be in a van pool, but then the people in her group moved and now she cannot get back into a different van pool.

We did decide to live close enough to our work (3 to 6 miles) that we are able to bike and save gas. But even we feel the rise from gas prices because so much of what we purchase depends on gas, and so what we buy from food to clothes have gone up in price. And the more I read, the more I realize that we should not be going into ethanol production from corn. This causes more problems than it helps.

We really need to say as a country that we will work on this energy issue together. We need to start conserving as much as possible. Building "green" should not just be a nice add-on option. Any new building should be required to be as energy efficient as possible and government money should be invested in research to make buildings even better.

America needs to stand up and say we can do this, we can be creative and get out of our gasoline rut. We need to help people on the fringe who are on fixed low incomes. But for people who make poor and selfish decisions on their driving habits should have to pay for that. So for those people, gas prices are too cheap. We do not even pay the true cost of gasoline in regards to the environment or human health issues. We truly need a new vision and will power.

Thank you very much.  
Sincerely,

ANNETTE, Boise.

I am an over-the-road truckdriver, and these fuel prices are killing us. Back East and out West, we are seeing fuel prices up toward \$5.00 a gal. Where is it going to stop? We need to drill in ANWR, and off our East and West coasts. And we need more refineries. It seems to be like Washington, D.C. does not care for the working class people anymore. They just see us as an endless path to money. Take from us all they can then forget us and sell us out to the highest bidder. Where will it stop?

ROGER, Chubbuck.

Dear Mike: I am a semi-retired person. I work at a bagel-deli at almost Eagle Road, since I live in Boise, and only live ½-mile from BSU. I drive 12 miles each way to work. Since I make \$8.50 an hour, and it costs me \$4.00 (my truck gets 22 miles per gallon), to go to work, it is far more difficult than it was as \$2.50 a gallon for fuel.

I am 62 years old. I have always believed in all renewable resources. I cannot believe that people think that nuclear fuel is unsafe, plus the fact that we aren't accessing our oil?

Best regards,

BOYD, Boise.

Dear Senator Crapo—I am at a loss to understand why Congress chose to support ethanol instead of hydrogen fuel. The vehicles have been developed, have clean emissions, and it seems practical since hydrogen is abundant. However, hydrogen fuel pumps will have to be installed around the country before the general public can buy and use these vehicles. This is something that Congress can and should support.

I am so opposed to ethanol. It can't be transported via the current fuel lines, because of its corrosiveness. There is a world food shortage, and none of our farmland

should be used to grow fuel instead of food. Ethanol gets lower mileage, and frankly, I do not like having even 10% ethanol fuel in my engine. Ethanol is not the solution to our fuel problems.

Electric cars, while cleaner, still need a valuable resource (electricity) to operate.

Energy credits are really good. Hopefully, there is something in the tax code for developers of alternate sources of energy (solar, wind, thermal, etc.). I also am in favor of nuclear energy. The European countries are certainly using that. I know that nuclear waste is an issue, but I think it is one that can be solved.

This is not a "story," but I took the opportunity to express my opinion about this.

DIANA.

Dear Senator Crapo, I have a gift and awards business in Moscow, ID where we engrave various items (most of which are made in China), and are experiencing increasing freight prices for all our received items. Freight rates are changing every day not only for delivery, but for other items we purchase used in our business. My employees are feeling the high gasoline prices commuting to work, and are looking for some sort of relief from me. This will drive up my cost of doing business and I will have to pass this cost on to my customers which in turn will be passed on to everyone.

I am glad that you sent out this e-mail requesting a response to high gasoline prices. I commend your position on this issue. I am sending out e-mails to all my elected officials stating that if you don't support a national energy policy (drilling, nuclear) then I will do everything in my power to replace you the next election. It's time that the people take back their government. Like it says "We the people" . . . An intelligent, responsible representative of the people will get on board and do what he or she is getting paid for, representing the people not just special interest.

I want to encourage you to spread the word that "We the people" are getting sick and tired of not being represented as we request be. People that I see on a daily basis agree that this country is going down hill not even sideways. We are in trouble economically with loss of our manufacturing base, no positive energy policy will jeopardize our entire way of life in the U.S. and will set us up eventually for a war we don't want.

Please carry the banner, inform your colleagues and let's get this country on the right track again! "We the people", love this country.

Sincerely,

DICK.

Mr. Crapo, Thank you for standing up to Senate and demanding something be done on our behalf. Rest assured I will remember those that did come election time. There is no reason why we can not explore our own sources of energy instead of sending our tax dollars to other countries.

As for how it has affected my family. We bought a camper and pickup truck last year to take family vacations and see this beautiful country of ours. With the rise in gas prices we are limiting ourselves to travel only where one tank of gas can get us. We had planned trips to Yellowstone, Las Vegas, the redwoods in California and Washington State. All those trips are cancelled as we have to stay close to home. It is so bad right now that I cancelled attending my nephews wedding in Washington because the gas prices there are worse than ours.

We used to go to Meridian (we live in Kuna) once a week for groceries and to go out to dinner. We now do like we used to when we lived in Cascade. We go to Meridian

once a month for groceries and rarely go out to dinner because of fuel cost. My wife and I have even discussed trading the Dodge Durango that she loves and buying a small car for her commute.

While I understand that there are countries out there that have it worse than us but this is supposed to be the greatest and yet we can not even provide our citizens with our own energy. We at the whim of the Arab controlled oil and I see it only getting worse if we do not do something now.

Thank you again.

TIM AND AMANDA.

## ADDITIONAL STATEMENTS

### REMEMBERING JOSE ANTONIO DIAZ

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the life of Yolo County Sheriff's Deputy Jose Antonio "Tony" Diaz, who was tragically killed in the line of duty on June 15, 2008.

Tony Diaz was born in Jacona, Mexico, on September 20, 1970, and immigrated to the United States with his family when he was 4 years old. His family settled in Dixon, CA, where he graduated from Dixon High School in 1989.

Tony Diaz's family instilled a strong work ethic in him from a young age. As a teenager, he worked in agricultural fields in the summer. Shortly following his graduation from high school, Tony went to work for the California Human Development Corporation where he worked to assist farm workers, and was soon promoted to the corporate office. Tony's strong skills with computers led him to a position in the Yolo County Information Technology Department in 1999 where an assignment with the Sheriff's Department piqued his interest in law enforcement. Tony put himself through the Yuba College Police Academy and became a sheriff's deputy in 2004.

As a dedicated member of the Yolo County Sheriff's Department, Deputy Diaz served with pride for 4 years in several areas including court security, transportation and patrol.

Deputy Diaz will be remembered as a loving son, a proud father of three daughters, a devoted friend, and respected colleague.

Jose Antonio Diaz's brave service and commitment to public safety will not be forgotten.●

### TRIBUTE TO JACKIE LEE HOUSTON

• Mrs. BOXER. Mr. President, recently in Palm Springs, CA, hundreds of people gathered to honor the fine work of Jackie Lee Houston, and to see the plans unveiled for a new plaza to be built in her honor. I am very pleased to ask my colleagues to join me in recognizing the important work and contributions of Jackie Lee Houston.

During the ceremony, Palm Springs Mayor Steve Pougnet pointed out the amazing contributions of Jackie Lee

Houston. She has been an integral part of the fine work being done at Angel View Crippled Children's Foundation, the Palm Springs Art Museum, the Palm Springs International Film Festival, the Palm Springs Opera Guild of the Desert, the Stroke Recovery Center, and Desert AIDS Project. Houston is also the sponsor of the "Jackie Lee Houston Scholarship," offering support to residents of the region hoping to pursue post-graduate training in design.

It is especially fitting that the new Jackie Lee Houston Plaza will offer an entry to the Palm Springs Convention Center because every year the Palm Springs International Film Festival opens there. It is a project that has had Houston's full support. It is also fitting that the plaza will offer visitors a desert landscape where they cannot just enjoy the native plants, but also help to build a sense of community that is so important to Houston.

I am delighted that the amazing community and philanthropic work of Jackie Lee Houston will be memorialized with this plaza in Palm Springs. I commend Mayor Pougnet and the members of the Palm Springs City Council for their efforts in this regard and, of course, send my very best regards to Jackie Lee Houston.●

#### TRIBUTE TO MAJOR GENERAL MELISSA A. RANK

● Ms. MIKULSKI. Mr. President, I join Senator INOUE in recognizing a great American and true military heroine who has honorably served our country for 30 years.

Major General Rank was born in Frostburg, MD, and entered the Air Force Nurse Corps in 1978. She earned her BSN from the University of Maryland at Baltimore in 1975, and worked for Baltimore City Hospitals, Johns Hopkins Medical Institutions, and Center for Disease Control prior to entering the Air Force. She also completed a master's in nursing administration from University of Texas in 1990, and a master's in strategic studies from Air War College in Alabama in 1999.

Major General Rank's military education includes the Air War College; the Air Command and Staff College, Squadron Officer School, Flight Nurse School, and Nursing Service Management.

Major General Rank became the Assistant Air Force Surgeon General for Medical Force Development and Assistant Air Force Surgeon General, Nursing Services in 2005. She established policy for 34,000 active-duty and enlisted medical personnel. She also created nursing policy for 19,000 active-duty, Guard, and Reserve personnel.

Major General Rank's past military assignments include serving in the Office of the Surgeon General as executive management fellow for services, chief of plans, policies and programs for nursing services in the directorate of work force management, and deputy

assistant surgeon general for health care operations. She also served as United States Air Force Surgeon Chair to Air University and has commanded an aeromedical evacuation squadron in Southwest Asia and a medical operations squadron and two medical groups.

Throughout her career Major General Rank has served with valor and profoundly impacted the entire Air Force Medical Department. Her performance reflects exceptionally on herself, the United States Air Force, the Department of Defense, and the United States of America. We extend our deepest appreciation to Major General Rank on behalf of a grateful nation for her more than 30 years of dedicated military service.●

#### TRIBUTE TO JOHN-REX SPIVEY

● Mr. PRYOR. Mr. President, I wish to honor John-Rex Spivey, who recently attained the rank of Eagle Scout by the Boy Scouts of America, Troop 122 in Rogers, AR.

This is a great accomplishment that requires years of devoted service and leadership. The rank of Eagle Scout is the highest level a Boy Scout can achieve and reflects John's dedicated effort and commitment to service.

Young Arkansans like John set a positive example for our youth, and I am confident that this award is one of many more that John will attain in the future.

Mr. President, I ask that my colleagues join me in congratulating John-Rex Spivey for this outstanding achievement.●

#### MEASURES REFERRED ON JUNE 27, 2008

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2245. An act to designate the Department of Veterans Affairs outpatient clinic in Wenatchee, Washington, as the Elwood "Bud" Link Department of Veterans Affairs Outpatient Clinic; to the Committee on Veterans' Affairs.

H.R. 4264. An act to name the Department of Veterans Affairs spinal cord injury center in Tampa, Florida, as the "Michael Bilirakis Department of Veterans Affairs Spinal Cord Injury Center"; to the Committee on Veterans' Affairs.

H. R. 4918. An act to name the Department of Veterans Affairs medical center in Miami, Florida, as the "Bruce W. Carter Department of Veterans Affairs Medical Center"; to the Committee on Veterans' Affairs.

H.R. 6052. An act to promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 163. Concurrent resolution expressing the sense of Congress in support of further research and activities to increase public awareness, professional education, diagnosis, and treatment of Dandy-Walker

syndrome and hydrocephalus; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 195. Concurrent resolution expressing the sense of the Congress that a National Dysphagia Awareness Month should be established; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 370. Concurrent resolution expressing support for designation of September 2008 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on Health, Education, Labor, and Pensions.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 6377. An act to direct the Commodity Futures Trading Commission to utilize all its authority, including its emergency powers, to curb immediately the role of excessive speculation in any contract market within the jurisdiction and control of the Commodity Futures Trading Commission, on or through which energy futures or swaps are traded, and to eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations or unwarranted changes in prices, or other unlawful activity that is causing major market disturbances that prevent the market from accurately.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6807. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Accounting Requirements for RUS Electric Borrowers" (RIN0572-AC02) received on June 30, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6808. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Asian Longhorned Beetle; Additions to Quarantined Areas in New York" (Docket No. APHIS-2007-0104) received on June 7, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6809. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Increased Assessment Rate" (Docket No. AMS-FV-07-0157) received on June 27, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6810. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Vidalia Onions Grown in Georgia; Increased Assessment Rate" (Docket No. AMS-FV-07-0159) received on June 27, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6811. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hazelnuts Grown in Oregon and

Washington; Establishment of Interim Final and Final Free and Restricted Percentages for the 2007–2008 Marketing Year” (Docket No. AMS-FV-07-0150) received on June 27, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6812. A communication from the Acting General Counsel, Department of Defense, transmitting legislative proposals relative to the National Defense Authorization Bill for Fiscal Year 2009, including one to expedite hiring authority for defense acquisition positions; to the Committee on Armed Services.

EC-6813. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (3) officers authorized to wear the insignia of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6814. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of the authorization of Garland P. Wright, Jr., United States Navy Reserve, to wear the authorized insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6815. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6816. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting, pursuant to law, the Bank's management report for fiscal year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC-6817. A communication from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Internal Control Over Financial Reporting in Exchange Act Periodic Reports of Non-Accelerated Filers” (RIN3235-AJ64) received on June 27, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6818. A communication from the Acting Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Commission Guidance and Amendment to the Rules Relating to Organization and Program Management Concerning Proposed Rule Changes Filed by Self-Regulatory Organizations” (Release No. 34-58092) received on July 7, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6819. A communication from the Secretary of Transportation, transmitting, pursuant to law, the National Tribal Transportation Facility Inventory Report; to the Committee on Environment and Public Works.

EC-6820. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Use of Repayment Plans” ((RIN0938-AO27) (Docket No. CMS-6032-F)) received on June 27, 2008; to the Committee on Finance.

EC-6821. A communication from the Program Manager, Center for Drug and Health Plan Choice, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Special Enrollment Period and Medicare Premium Changes” (RIN0938-AO77)

received on June 27, 2008; to the Committee on Finance.

EC-6822. A communication from the Program Manager, Office of Clinical Standards and Quality, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare and Medicaid Programs; Hospital Conditions of Participation: Laboratory Services” ((RIN0938-AJ29) (Docket No. CMS-3014-F)) received on June 27, 2008; to the Committee on Finance.

EC-6823. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Appeal of CMS or CMS Contractor Determinations When a Provider or Supplier Fails To Meet the Requirements for Medicare Billing Privileges” ((RIN0938-AI49) (Docket No. CMS-6003-F)) received on June 27, 2008; to the Committee on Finance.

EC-6824. A communication from the Program Manager, Center for Medicaid and State Operations, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “State Children's Health Insurance Program; Retrospective Adjustment for Additional Allotments To Eliminate Fiscal Year 2007 Funding Shortfalls; Final SCHIP Allotments for Fiscal Years 2008 and 2009; Redistribution of Unused SCHIP Fiscal Year 2005 Allotments To Eliminate Fiscal Year 2008 Funding Shortfalls; Additional Allotments to Eliminate Fiscal Year 2008 Funding Shortfalls; and Provisions for Continued Authority for Qualifying States To Use a Portion of Certain SCHIP Funds for Medicaid Expenditures” ((RIN0938-AO99) (RIN0938-AP07)) received on June 27, 2008; to the Committee on Finance.

EC-6825. A communication from the President of the United States, transmitting, pursuant to law, a report stating that it is in the Nation's interest to temporarily terminate the suspensions under the Foreign Relations Authorization Act relative to the issuance of temporary munitions export licenses for export to the People's Republic of China; to the Committee on Foreign Relations.

EC-6826. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed agreement for the export of defense articles or services to Japan for the production of the Solid Rocket Booster; to the Committee on Foreign Relations.

EC-6827. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of an application for the transfer of defense articles to Canada and Australia in support of the manufacture of LAV-25 turrets; to the Committee on Foreign Relations.

EC-6828. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to the United Kingdom for the manufacture of tooling and parts for the aircrew oxygen masks; to the Committee on Foreign Relations.

EC-6829. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to the United Kingdom for the manufacture and repair of aircraft vertical, rate and azimuth gyros; to the Committee on Foreign Relations.

EC-6830. A communication from the Assistant Secretary for Veterans' Employment and

Training, Department of Labor, transmitting, pursuant to law, the annual report for fiscal years 2006 and 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-6831. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Kobuk, AK” ((RIN2120-AA66) (Docket No. 07-AAL-19)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6832. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revision of Class E Airspace; Anvik, AK” ((RIN2120-AA66) (Docket No. 07-AAL-21)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6833. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Proposed Amendment of Class D and Class E Airspace; Altus Air Force Base, Oklahoma” ((RIN2120-AA66) (Docket No. 08-ASW-5)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6834. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Fort Kent, ME” ((RIN2120-AA66) (Docket No. 08-ANE-90)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6835. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments” ((RIN2120-AA65) (Amdt. No. 3269)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6836. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments” ((RIN2120-AA65) (Amdt. No. 3268)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6837. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment to Class E Airspace; Lee's Summit, MO” ((RIN2120-AA65) (Docket No. 07-ACE-19)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6838. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes” ((RIN2120-AA64) (Docket No. 2007-NM-064)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6839. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Boeing Model 747-400 Series Airplanes” ((RIN2120-AA64) (Docket No. 2007-NM-362)) received on July 7, 2008; to the

Committee on Commerce, Science, and Transportation.

EC-6840. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "MD Helicopters, Inc. Model MD900 Series Helicopters" ((RIN2120-AA64) (Docket No. 2006-SW-11) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6841. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Thielert Aircraft Engines GmbH Model TAE 125-02-99 Engines" ((RIN2120-AA64) (Docket No. 07-AAL-19) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6842. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Alpha Aviation Design Limited Model R2160 Airplanes" ((RIN2120-AA64) (Docket No. 2006-CE-075)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6843. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 747 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-142)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6844. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "APEX Aircraft Model CAP 10 B Airplanes" ((RIN2120-AA64) (Docket No. 2008-CE-002)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6845. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing 747-400F and -400 Series Airplanes" ((RIN2120-AA64) (Docket No. 2006-NM-205)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6846. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 737-200C Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-175)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6847. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 767 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-049)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6848. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Gulfstream Aerospace LP Model Gulfstream G150 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-327)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6849. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fokker Model F.28 Mark 0070 and Mark 0100 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-273)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

et No. 2007-NM-273)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6850. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "McDonnell Douglas Model DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes; Model DC-8-50 Series Airplanes; Model DC-8F-55 Airplanes; Model DC-8-60 Series Airplanes; Model DC-8-60F Series Airplanes; Model DC-8-70 Series Airplanes; and Model DC-8-70F Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-313)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6851. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Kelly Aerospace Power Systems Turbochargers" ((RIN2120-AA64) (Docket No. 2008-NE-09)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6852. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Dassault Model Falcon 2000 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-257)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6853. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Empresa Brasileira de Aeronautica S.A. Model ERJ-170 Airplanes and Model ERJ-190 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-327)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6854. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-168)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6855. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dornier Luftfahrt GmbH Models 228-100, 228-101, 228-200, 228-201, 228-202, and 282-212" ((RIN2120-AA64) (Docket No. 2008-CE-005)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6856. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model EC120B Helicopters" ((RIN2120-AA64) (Docket No. 2007-SW-59)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6857. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives Bell Helicopter Textron Model 204B, 205A, 205A-1, 205B, 210, 212, 412, 412CF, and 412EP Helicopters" ((RIN2120-AA64) (Docket No. 2008-SW-26)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6858. A communication from the Program Analyst, Federal Aviation Administration,

Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Construcciones Aeronauticas, S.A., Model CN-235, CN-235-100, CN-235-200, CN-235-300, and C-295 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-181)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6859. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.P.A. Model A109A, A109A II, and 109C Helicopters" ((RIN2120-AA64) (Docket No. 2008-SW-08)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6860. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT-300, AT-301, AT-302, AT-400, and AT-400A Airplanes" ((RIN2120-AA64) (Docket No. 2008-CE-018)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6861. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dornier Luftfahrt GmbH Models 228-200, 228-201, 228-202, and 228-212 Airplanes" ((RIN2120-AA64) (Docket No. 2008-CE-012)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6862. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Saab Model SAAB-Fairchild SF340A and SAAB 340B Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-155)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6863. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 757 Airplanes and Model 767-200, 767-300, and 767-300F Series Airplanes" ((RIN2120-AA64) (Docket No. 2008-NM-061)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6864. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Bombardier Model CL-600-2B19 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-021)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6865. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64) (Docket No. 2-7-NM-062)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6866. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-173)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6867. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Boeing Model 737-300, -400, and -500 Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-177)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6868. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Boeing Model 777-200, -300, and -300ER Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-007)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6869. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Taylorcraft, Inc. Models A, B, and F Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-CE-093)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6870. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and 8-315 Airplanes" ((RIN2120-AA64) (Docket No. 2008-NM-013)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6871. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Bombardier Model CL-600-2C10, CL-600-2D15, and CL-600-2D24 Airplanes" ((RIN2120-AA64) (Docket No. 2008-NM-050)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6872. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Bombardier Model DHC-8-400, DHC-8-401, and DHC-8-402 Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-327)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6873. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Przedsiębiorstwo Dowladczalno-Produkcyjne Szybownictwa 'PZL-Bielsko' Model SZD-50-3 'Puchacz' Gliders" ((RIN2120-AA64) (Docket No. 2008-CE-004)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6874. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Franklin, PA" ((RIN2120-AA66) (Docket No. 07-AEA-19)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6875. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bradford, PA" ((RIN2120-AA66) (Docket No. 07-AEA-21)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6876. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Gulfstream Aerospace LP Model Gulfstream G150 Airplanes" ((RIN2120-AA66) (Docket No. 07-AEA-17)) received on July 7,

2008; to the Committee on Commerce, Science, and Transportation.

EC-6877. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Rockport, ME" ((RIN2120-AA66) (Docket No. 08-ANE-98)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6878. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Lee's Summit, MO" ((RIN2120-AA66) (Docket No. 07-ACE-10)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6879. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Poplar Bluff, MO" ((RIN2120-AA66) (Docket No. 07-ACE-9)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6880. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747-100, 100B, 100B SUD, 200B, 200C, 200F, 300, 400, 400D, 400F, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64) (Docket No. 2007-NM-290)) received on July 7, 2008; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 3227. An original bill to impose sanctions on Iran and for other purposes (Rept. No. 110-408).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1738. A bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Paul G. Gardephe, of New York, to be United States District Judge for the Southern District of New York.

Kiyo A. Matsumoto, of New York, to be United States District Judge for the Eastern District of New York.

Cathy Seibel, of New York, to be United States District Judge for the Southern District of New York.

Glenn T. Suddaby, of New York, to be United States District Judge for the Northern District of New York.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself, Mr. KERRY, Mr. CARDIN, Mr. SPECTER, Mr. WARNER, and Mr. MENENDEZ):

S. 3224. A bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 photovoltaic systems by 2018; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself and Mr. CARDIN):

S. 3225. A bill to amend the Atomic Energy Act of 1954 to prohibit the importation of certain low-level radioactive waste into the United States; to the Committee on Environment and Public Works.

By Mr. BUNNING:

S. 3226. A bill to rename the Abraham Lincoln Birthplace National Historic Site in the State of Kentucky as the "Abraham Lincoln Birthplace National Historical Park"; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 3227. An original bill to impose sanctions on Iran and for other purposes; from the Committee on Finance; placed on the calendar.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI (for herself, Mr. LUGAR, Mr. OBAMA, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. CARDIN, and Mr. FEINGOLD):

S. Res. 607. A resolution designating July 10, 2008, as "National Summer Learning Day"; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. MCCONNELL, Mrs. DOLE, Mr. BURR, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THUNE, Mr. VITTER,

Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 608. A resolution relative to the death of Jesse Alexander Helms, Jr., former United States Senator for the State of North Carolina; considered and agreed to.

By Mrs. MURRAY (for herself, Mr. BOND, Mr. ROBERTS, and Mrs. MCCASKILL):

S. Res. 609. A resolution recognizing the need for rapid recapitalization of the KC-135 aerial refueling fleet through re-competition of the United States Air Force's KC-X solicitation; to the Committee on Armed Services.

By Mr. BIDEN (for himself and Mr. GRASSLEY):

S. Res. 610. A resolution honoring the men and women of the Drug Enforcement Administration on the occasion of the 35th anniversary of the Administration; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 26

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 26, a bill to amend the Internal Revenue Code of 1986 to establish a program demonstrating multiple approaches to Lifelong Learning Accounts, which are portable, worker-owned savings accounts that can be used by workers to help finance education, training, and apprenticeships and which are intended to supplement both public and employer-provided education and training resources, and for other purposes.

S. 38

At the request of Mr. DOMENICI, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 38, a bill to require the Secretary of Veterans Affairs to establish a program for the provision of readjustment and mental health services to veterans who served in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 334

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 334, a bill to provide affordable, guaranteed private health coverage that will make Americans healthier and can never be taken away.

S. 439

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 439, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 790

At the request of Mr. LUGAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 790, a bill to amend the Rich-

ard B. Russell National School Lunch Act to permit the simplified summer food programs to be carried out in all States and by all service institutions.

S. 1164

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1164, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the Medicare Program.

S. 1232

At the request of Mr. DODD, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1827

At the request of Mr. COCHRAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1827, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy co-branding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA-PD plans under such part.

S. 2510

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2510, a bill to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes.

S. 2609

At the request of Mr. FEINGOLD, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2609, a bill to establish a Global Service Fellowship Program, and for other purposes.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2668

At the request of Mr. KERRY, the names of the Senator from New Jersey

(Mr. LAUTENBERG), the Senator from Florida (Mr. NELSON) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2681

At the request of Mr. INHOFE, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Vermont (Mr. SANDERS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2681, a bill to require the issuance of medals to recognize the dedication and valor of Native American code talkers.

S. 2799

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 2799, a bill to amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, and for other purposes.

S. 2817

At the request of Mr. SALAZAR, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2817, a bill to establish the National Park Centennial Fund, and for other purposes.

S. 2851

At the request of Mr. BUNNING, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2851, a bill to amend the Internal Revenue Code of 1986 to modify the penalty on the understatement of taxpayer's liability by tax return preparers.

S. 2920

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2920, *supra*.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 3080

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3080, a bill to ensure parity between the temporary duty imposed on



ethanol and tax credits provided on ethanol.

S. 3114

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3114, a bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes.

S. 3133

At the request of Mr. DODD, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3133, a bill to direct the Secretary of the Interior to establish an annual production incentive fee with respect to Federal onshore and offshore land that is subject to a lease for production of oil or natural gas under which production is not occurring, to authorize use of the fee for energy efficiency and renewable energy projects, and for other purposes.

S. 3155

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3155, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 3177

At the request of Mr. KENNEDY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3177, a bill to develop a policy to address the critical needs of Iraqi refugees.

S. 3185

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3185, a bill to provide for regulation of certain transactions involving energy commodities, to strengthen the enforcement authorities of the Federal Energy Regulatory Commission under the Natural Gas Act and the Federal Power Act, and for other purposes.

S. 3223

At the request of Mr. KERRY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3223, a bill to establish a small business energy emergency disaster loan program.

S.J. RES. 43

At the request of Mr. WICKER, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S.J. Res. 43, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. RES. 300

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mr. SCHUMER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 300, a resolution expressing the sense of the Senate that the Former Yugoslav Re-

public of Macedonia (FYROM) should stop the utilization of materials that violate provisions of the United Nations-brokered Interim Agreement between FYROM and Greece regarding "hostile activities or propaganda" and should work with the United Nations and Greece to achieve longstanding United States and United Nations policy goals of finding a mutually-acceptable official name for FYROM.

AMENDMENT NO. 5009

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 5009 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 5010

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 5010 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

AMENDMENT NO. 5040

At the request of Ms. LANDRIEU, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 5040 intended to be proposed to H.R. 3221, a bill to provide needed housing reform and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BUNNING:

S. 3226. A bill to rename the Abraham Lincoln Birthplace National Historic Site in the State of Kentucky as the "Abraham Lincoln Birthplace National Historical Park"; to the Committee on Energy and Natural Resources.

Mr. BUNNING. Mr. President, I would like to introduce a bill to rename the "Abraham Lincoln Birthplace National Historic Site" in the State of Kentucky as the "Abraham Lincoln Birthplace Historical Park."

In 1809, Abraham Lincoln was born at Sinking Spring Farm, near Hodgenville, Kentucky, making him the first President to be born outside the original Thirteen Colonies. A century later, in 1916, the Abraham Lincoln Birthplace National Historic Site was established to protect over 100 acres of this enshrined area.

In 1811, the Lincoln family moved from Sinking Spring Farm to Knob Hill Farm, Kentucky, until Abraham Lincoln was nearly 8 years old. At the age of 51, Abraham Lincoln wrote, "My earliest recollection is the Knob Creek place." While at Knob Hill, Abraham Lincoln learned to talk and assume household duties, helping his family gather wood and water. It was also at Knob Hill, during his boyhood years, where Lincoln first saw African Americans being taken south along the Louisville-Nashville Turnpike, part of the old Cumberland Road, to be sold as

slaves. Only 50 years later, Abraham Lincoln would successfully lead his Nation through its worst crisis to abolish slavery.

There is an inspiring climb from modest beginnings to the highest office in the land, along with a relentless spirit through the most distressing time in the history of our Nation, which opens us to the life of Abraham Lincoln.

As someone who is proud to share the same birth State with Abraham Lincoln, I believe there is a credible desire in Kentucky to continue the education and promotion among our citizens, particularly the young, to understand and appreciate his righteous leadership. It is difficult to name another person who has displayed the qualities and character of the U.S. as much as Abraham Lincoln.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 607—DESIGNATING JULY 10, 2008, AS "NATIONAL SUMMER LEARNING DAY"

Ms. MIKULSKI (for herself, Mr. LUGAR, Mr. OBAMA, Mr. KENNEDY, Mr. ROCKEFELLER, Mr. CARDIN, and Mr. FEINGOLD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 607

Whereas all students experience a measurable loss of mathematics and reading skills when they do not engage in educational activities during the summer months;

Whereas summer learning loss is greatest for low-income children, who often lack the academic enrichment opportunities available to their more affluent peers;

Whereas recent research indicates that 2/3 of the achievement gap between low-income children and their more affluent peers can be explained by unequal access to summer learning opportunities, which results in low-income youth being less likely to graduate from high school or enter college;

Whereas recent surveys indicate that low-income parents have considerable difficulty finding available summer opportunities for their children;

Whereas structured enrichment and education programs are proven to accelerate learning for students who participate in such programs for several weeks during the summer;

Whereas students who participate in the Building Educated Leaders for Life ("BELL") summer programs gain several months' worth of reading and mathematics skills through summer enrichment, and students who regularly attend the Teach Baltimore Summer Academy for 2 summers are 1/2 year ahead of their peers in reading skills;

Whereas the Summer Youth Program Fund in Indianapolis, Indiana, the first community collaborative fund for youth programs in the United States, serves as an example for other urban communities by providing summer learning opportunities for young people;

Whereas thousands of students in similar programs make measurable gains in academic achievement;

Whereas recent research demonstrates that most children, particularly children at high



risk of obesity, gain weight more rapidly when they are out of school during the summer;

Whereas Summer Learning Day is designed to highlight the need for more young people to be engaged in summer learning activities and to support local summer programs that benefit children, families, and communities;

Whereas a wide array of schools, public agencies, nonprofit organizations, universities, museums, libraries, and summer camps in many States across the United States, will celebrate annual Summer Learning Day on July 10, 2008: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 10, 2008, as “National Summer Learning Day”, in order to raise public awareness about the positive impact of summer learning opportunities on the development and educational success of the children of the United States;

(2) urges the people of the United States to promote summer learning activities, in order to send young people back to school ready to learn, to support working parents and their children, and to keep the children of the United States safe and healthy during the summer months; and

(3) urges communities to celebrate, with appropriate ceremonies and activities, the importance of high quality summer learning opportunities in the lives of young students and their families.

#### SENATE RESOLUTION 608—RELATIVE TO THE DEATH OF JESSE ALEXANDER HELMS, JR., FORMER UNITED STATES SENATOR FOR THE STATE OF NORTH CAROLINA

Mr. REID (for himself, Mr. MCCONNELL, Mrs. DOLE, Mr. BURR, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

Whereas Jesse Alexander Helms, Jr., born in Monroe, North Carolina on October 18, 1921, spent a 52-year public career dedicating himself to his country, his family, and his home State, representing North Carolina in the United States Senate for 30 years;

Whereas Jesse Alexander Helms, Jr., served in the United States Navy from 1942 until 1945;

Whereas Jesse Alexander Helms, Jr., was educated in the public schools of Monroe, North Carolina and at Wingate Junior College and Wake Forest College, served as city editor of the Raleigh Times, administrative assistant to United States Senators Willis Smith and Alton Lennon, executive director of the North Carolina Bankers Association, member of the Raleigh City Council, and a television and radio executive;

Whereas Jesse Alexander Helms, Jr., was elected to the United States Senate in 1972, and served as Chairman of the Senate Foreign Relations Committee and the Senate Agriculture Committee, ultimately serving five terms, equal to the longest of any Senator from North Carolina;

Whereas Jesse Alexander Helms, Jr., was a leader against Communism and became the first legislator of any nation to address the United Nations Security Council;

Whereas Jesse Alexander Helms, Jr., was married for 65 years to Dorothy “Dot” Coble Helms, whom he termed his “best friend” and is the father of three children;

Whereas Jesse Alexander Helms, Jr., made invaluable contributions to his community, State, Nation, and the World;

Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Jesse Alexander Helms, Jr., former Member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand in adjournment as a further mark of respect to the memory of the Honorable Jesse Alexander Helms, Jr.

#### SENATE RESOLUTION 609—RECOGNIZING THE NEED FOR RAPID RECAPITALIZATION OF THE KC-135 AERIAL REFUELING FLEET THROUGH RE-COMPETITION OF THE UNITED STATES AIR FORCE'S KC-X SOLICITATION

Mrs. MURRAY (for herself, Mr. BOND, Mr. ROBERTS, and Mrs. MCCASKILL) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 609

Whereas aerial refueling tankers are the backbone of the worldwide airpower capability of the United States;

Whereas the United States Air Force fleet of KC-135 aerial refueling tankers is aging and needs to be recapitalized; and

Whereas recapitalization of the KC-135 medium-sized aerial refueling tanker is the top acquisition priority of the United States Air Force: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages the United States Air Force to quickly re-compete the KC-X solicitation on the terms the Government Accountability Office (GAO) recommended in its June 18, 2008, decision;

(2) recognizes that a rapid, thorough, and fair re-competition under the terms of the original KC-X request for proposals is the

best way to provide the United States Air Force with next-generation aerial refueling tanker capability in a timely manner;

(3) recognizes that the KC-X solicitation is the first phase of a three-phased strategy for recapitalizing the tanker fleet, and that the KC-X solicitation should be based on a full and transparent competition to select a single aircraft design; and

(4) supports the recommendation of the Government Accountability Office that “the Air Force reopen discussions with the offerors, obtain revised proposals, re-evaluate the revised proposals, and make a new source selection decision, consistent with this decision.”

#### SENATE RESOLUTION 610—HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON THE OCCASION OF THE 35TH ANNIVERSARY OF THE ADMINISTRATION

Mr. BIDEN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 610

Whereas the Drug Enforcement Administration (DEA) was created by Executive order on July 6, 1973, and merged the previously separate law enforcement and intelligence agencies responsible for narcotics control;

Whereas the first administrator of the DEA, John R. Bartels, Jr., was confirmed by the Senate on October 4, 1973;

Whereas since 1973, the men and women of the DEA have served the United States with courage, vision, and determination, protecting all the people of the United States from the scourge of drug trafficking, drug abuse, and related violence;

Whereas the DEA has adjusted and refined the tactics and methods by which the DEA targets the most dangerous drug trafficking operations to bring to justice criminals such as New York City's Nicky Barnes, key members of the infamous Colombian Medellin cartel, Thai warlord Khun Sa, several members of the Mexican Arellano-Felix organization, Afghan terrorist Haji Baz Mohammad, and international arms dealer Viktor Bout;

Whereas throughout the 35 years since the DEA was created, the DEA has continually adapted to the evolving trends of drug trafficking organizations by aggressively targeting organizations involved in the growing, manufacturing, and distribution of such substances as marijuana, cocaine, heroin, methamphetamine, Ecstasy, and controlled prescription drugs;

Whereas in 227 domestic offices, in 21 field divisions, the DEA continues to strengthen and enhance existing relationships with Federal, State, and local counterparts in every State in the Union to combat drug trafficking;

Whereas since 2000, DEA special agents have seized over 5,500 kilograms of heroin, 650,000 kilograms of cocaine, 2,300,000 kilograms of marijuana, and 13,000 kilograms of methamphetamine and almost 80,000,000 dosage units of hallucinogens, and made over 240,000 arrests;

Whereas with 87 foreign offices, located in 63 countries, the DEA has the largest international presence of any Federal law enforcement agency;

Whereas the personnel of the DEA continue to collaborate closely with international partners around the globe, including in such drug-producing countries as Colombia, Mexico, Afghanistan, and Thailand;

Whereas the results of this international collaboration since 2000 alone have led to the indictments of 63 leaders, members, and associates of the Revolutionary Armed Forces of Colombia, a designated foreign terrorist organization;

Whereas through the creation of the Diversion Control Program in 1971, the DEA now registers and regulates over 1,200,000 registrants, while simultaneously combating the continually evolving threat posed by the diversion of controlled pharmaceuticals;

Whereas the DEA continues to disrupt drug trafficking activities by denying drug trafficking organizations \$3,500,000,000 in fiscal year 2007 alone, exceeding their 5-year goal of \$3,000,000,000 annually by fiscal year 2009;

Whereas DEA special agents continue to work alongside Federal, State, and local law enforcement officials throughout the United States in a cooperative effort to put drug traffickers behind bars;

Whereas throughout the history of the DEA and its predecessor agencies, many employees and members of the task forces have given their lives in the line of duty, including: Charles Archie Wood, Stafford E. Beckett, Joseph W. Floyd, Bert S. Gregory, James T. Williams, Louis L. Marks, James E. Brown, James R. Kerrigan, John W. Crozier, Spencer Stafford, Andrew P. Sanderson, Anker M. Bangs, Wilson M. Shee, Mansel R. Burrell, Hector Jordan, Gene A. Clifton, Frank Tumillio, Richard Heath, Jr., George F. White, Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace, Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Juan C. Vars, Jay W. Seale, Meredith Thompson, Frank S. Wallace, Jr., Frank Fernandez, Jr., Kenneth G. McCullough, Carrol June Fields, Rona L. Chafey, Shelly D. Bland, Carrie A. Lenz, Shaun E. Curl, Royce D. Tramel, Alice Faye Hall-Walton, Elton Armstead, Larry Steilen, Terry Loftus, Jay Balchunas, and Richard E. Fass;

Whereas many other DEA employees and task force officers have been wounded or injured in the line of duty; and

Whereas over 9,000 employees of the DEA, including special agents, intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys, and administrative support personnel, along with over 2,000 task force officers, and over 2,000 vetted foreign officers, work tirelessly to hunt down and bring to justice the drug trafficking cartels that seek to poison the citizens of the United States with dangerous narcotics: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Drug Enforcement Administration (DEA) on the occasion of its 35th anniversary;

(2) honors the heroic sacrifice of the DEA employees who have given their lives or have been wounded or injured in service of the United States; and

(3) gives heartfelt thanks to all the men and women of the DEA for their past and continued efforts to defend the people of the United States from the scourge of illegal drugs and terrorism.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 5066. Mr. BINGAMAN (for himself, Mr. CASEY, and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 6304, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 5066.** Mr. BINGAMAN (for himself and Mr. CASEY, and Mr. SPECTER) submitted an amendment intended to be proposed by him to the bill H.R. 6304, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 88, strike line 23 and all that follows through page 90, line 15, and insert the following:

“(a) REQUIREMENT FOR CERTIFICATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law other than paragraph (2), a civil action may not lie or be maintained in a Federal or State court against any person for providing assistance to an element of the intelligence community, and shall be promptly dismissed, if the Attorney General certifies to the district court of the United States in which such action is pending that—

“(A) any assistance by that person was provided pursuant to an order of the court established under section 103(a) directing such assistance;

“(B) any assistance by that person was provided pursuant to a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code;

“(C) any assistance by that person was provided pursuant to a directive under section 102(a)(4), 105B(e), as added by section 2 of the Protect America Act of 2007 (Public Law 110-55; 121 Stat. 553), or 702(h) directing such assistance;

“(D) in the case of a covered civil action, the assistance alleged to have been provided by the electronic communication service provider was—

“(i) in connection with an intelligence activity involving communications that was—

“(I) authorized by the President during the period beginning on September 11, 2001, and ending on January 17, 2007; and

“(II) designed to detect or prevent a terrorist attack, or activities in preparation for a terrorist attack, against the United States; and

“(ii) the subject of a written request or directive, or a series of written requests or directives, from the Attorney General or the head of an element of the intelligence community (or the deputy of such person) to the electronic communication service provider indicating that the activity was—

“(I) authorized by the President; and

“(II) determined to be lawful; or

“(E) the person did not provide the alleged assistance.

“(2) LIMITATION ON IMPLEMENTATION.—

“(A) IN GENERAL.—The Attorney General may not make a certification for any civil action described in paragraph (1)(D) until after the date described in subparagraph (C).

“(B) STAY OF CIVIL ACTIONS.—During the period beginning on the date of the enactment of the FISA Amendments Act of 2008 and ending on the date described in subparagraph (C), a civil action described in paragraph (1)(D) shall be stayed by the court in which the civil action is pending.

“(C) DATE DESCRIBED.—The date described in this subparagraph is the date that is 90 days after the final report described in section 301(c)(2) of the FISA Amendments Act of 2008 is submitted to the appropriate committees of Congress, as required by such section.”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, July 16, 2008, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills: 2354, to direct the Secretary of the Interior to convey 4 parcels of land from the Bureau of Land Management to the city of Twin Falls, Idaho; S. 3065, to establish the Dominguez-Escalante National Conservation Area and the Dominguez Canyon Wilderness Area; S. 3069, to designate certain land as wilderness in the State of California, and for other purposes; S. 3085, to require the Secretary of the Interior to establish a cooperative watershed management program, and for other purposes; H.R. 3473, to provide for a land exchange with the City of Bountiful, Utah, involving National Forest System land in the Wasatch-Cache National Forest and to further land ownership consolidation in that national forest, and for other purposes; H.R. 3490, to transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes; and H.R. 3651, to require the conveyance of certain public land within the boundaries of Camp Williams, Utah, to support the training and readiness of the Utah National Guard.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [rachel\\_pasternack@energy.senate.gov](mailto:rachel_pasternack@energy.senate.gov).

For further information, please contact David Brooks at (202) 224-9863 or Rachel Pasternack at (202) 224-0883.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the location has been changed for an upcoming hearing before the Subcommittee on National Parks. The

hearing will be held on Monday, July 21, 2008, at 9:30 a.m., the new location: Alumni Hall, Highsmith Union, University of North Carolina Asheville, One University Heights, Asheville, North Carolina.

The purpose of the hearing is to receive testimony regarding the All Taxa Biodiversity Inventory of all species within the Great Smoky Mountains National Park. Specifically, the hearing will address: (1) How much has been learned up to this point and at what cost? (2) What is left to be done and what is the estimated time and cost to complete the inventory? (3) How has the data been used and are there other ways to use it? (4) What changes, if any, should be made in the program and (5) Should the program be expanded to include other National Parks?

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [rachel\\_pasternack@energy.senate.gov](mailto:rachel_pasternack@energy.senate.gov).

For further information, please contact Kira Finkler at (202) 224-5523 or Rachel Pasternack at (202) 224-0883.

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled, "Medicare Vulnerabilities: Payments for Claims Tied to Deceased Doctors." The Subcommittee hearing will examine fraud, waste, and abuse in the Medicare program in connection with the payment of claims containing the physician identification numbers of doctors who had died at least 1 year before the prescription was filled. The hearing will focus on Durable Medical Equipment (DME) claims citing a deceased doctor as the prescribing physician, and inadequate oversight by the Centers for Medicare and Medicaid Services (CMS) to correct the problem. The Subcommittee will also issue a Subcommittee staff report in conjunction with the hearing summarizing its investigative findings. Witnesses for the upcoming hearing will include representatives from CMS, Health & Human Services' Office of the Inspector General, and the Social Security Administration.

The Subcommittee hearing is scheduled for Wednesday, July 9, 2008, at 10:30 a.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

#### NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2008 second quarter Mass Mailings is Friday, July 25,

2008. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

#### RELATIVE TO THE DEATH OF SENATOR JESSE ALEXANDER HELMS, JR.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 608, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 608) relative to the death of Jesse Alexander Helms, Jr., former United States Senator for the State of North Carolina.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 608) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 608

Whereas Jesse Alexander Helms, Jr., born in Monroe, North Carolina on October 18, 1921, spent a 52-year public career dedicating himself to his country, his family, and his home State, representing North Carolina in the United States Senate for 30 years;

Whereas Jesse Alexander Helms, Jr., served in the United States Navy from 1942 until 1945;

Whereas Jesse Alexander Helms, Jr., was educated in the public schools of Monroe, North Carolina and at Wingate Junior College and Wake Forest College, served as city editor of the Raleigh Times, administrative assistant to United States Senators Willis Smith and Alton Lennon, executive director of the North Carolina Bankers Association, member of the Raleigh City Council, and a television and radio executive;

Whereas Jesse Alexander Helms, Jr., was elected to the United States Senate in 1972, and served as Chairman of the Senate Foreign Relations Committee and the Senate Agriculture Committee, ultimately serving five terms, equal to the longest of any Senator from North Carolina;

Whereas Jesse Alexander Helms, Jr., was a leader against Communism and became the first legislator of any nation to address the United Nations Security Council;

Whereas Jesse Alexander Helms, Jr., was married for 65 years to Dorothy "Dot" Coble Helms, whom he termed his "best friend" and is the father of three children;

Whereas Jesse Alexander Helms, Jr., made invaluable contributions to his community, State, Nation, and the World;

Now, therefore, be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the an-

nouncement of the death of the Honorable Jesse Alexander Helms, Jr., former Member of the United States Senate.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand in adjournment as a further mark of respect to the memory of the Honorable Jesse Alexander Helms, Jr.

#### TAY-SACHS AWARENESS MONTH

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 853, S. Res. 594.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 594) designating September 2008 as "Tay-Sachs Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 594) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 594

Whereas Tay-Sachs disease is a rare, genetic disorder that causes destruction of nerve cells in the brain and spinal cord due to the poor functioning of an enzyme called beta-hexosaminidase A;

Whereas there is no proven treatment or cure for Tay-Sachs disease and the disease is always fatal in children;

Whereas the disorder was named after Warren Tay, an ophthalmologist from the United Kingdom, and Bernard Sachs, a neurologist from the United States, both of whom contributed to the discovery of the disease in 1881 and 1887, respectively;

Whereas Tay-Sachs disease often affects families with no prior history of the disease;

Whereas approximately 1 in 27 Ashkenazi Jews, 1 in 30 Louisianan Cajuns, 1 in 30 French Canadians, 1 in 50 Irish Americans, and 1 in every 250 people are carriers of Tay-Sachs disease, which means approximately 1,200,000 Americans are carriers;

Whereas these unaffected carriers of the disease possess the recessive gene that can trigger the disease in future generations;

Whereas, if both parents of a child are carriers of Tay-Sachs disease, there is a 1 in 4 chance that the child will develop Tay-Sachs disease;

Whereas a simple and inexpensive blood test can determine if an individual is a carrier of Tay-Sachs disease, and all people in the United States, especially those citizens who are members of high-risk populations, should be screened; and

Whereas raising awareness of Tay-Sachs disease is the best way to fight this horrific disease: Now, therefore, be it

*Resolved*, That the Senate designates September 2008 as "Tay-Sachs Awareness Month".

#### NATIONAL FISH AND WILDLIFE FOUNDATION ESTABLISHMENT ACT AMENDMENT OF 2007

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 860, H.R. 3891.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3891) to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation.

There being no objection, the Senate proceeded to consider the bill.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3891) was ordered to a third reading, was read the third time, and passed.

#### MEASURE READ THE FIRST TIME—H.R. 6377

Ms. KLOBUCHAR. Mr. President, I understand that H.R. 6377 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 6377) to direct the Commodity Futures Trading Commission to utilize all its authority, including its emergency powers, to curb immediately the role of excessive speculation in any contract market within the jurisdiction and control of the Commodity Futures Trading Commission, on or through which energy futures or swaps are traded, and to eliminate excessive speculation, price distortion, sudden or unreasonable fluctuations or unwarranted changes in prices, or other unlawful activity that is causing major market disturbances that prevent the market from accurately reflecting the forces of supply and demand for energy commodities.

Ms. KLOBUCHAR. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 110-19

Ms. KLOBUCHAR. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on July 7,

2008, by the President of the United States. It is the Treaty on Plant Genetic Resources for Food and Agriculture (Treaty Document No. 110-19).

I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

*To the Senate of the United States:*

I transmit herewith for advice and consent of the Senate to ratification the International Treaty on Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States on November 1, 2002 (the "Treaty"). The Treaty entered into force in June 2004.

The centerpiece of the Treaty is the establishment of a multilateral system under which a party provides access to other parties, upon request, to listed plant genetic resources held in national genebanks. These resources are to be used solely for purposes of research, breeding, and training in agriculture. A recipient of such a resource must then share the benefits from its use, e.g., a recipient who commercializes a product containing an accessed plant genetic resource must generally pay a percentage of any gross sales into a trust account.

Transfers under the multilateral system are to be accompanied by a standard material transfer agreement, the current version of which was concluded in June 2006.

Provision of plant genetic resources from U.S. genebanks is fully consistent with the Department of Agriculture's long-standing general practice of providing access to such plant genetic resources upon request. Ratification of the Treaty will provide U.S. agricultural interests with similar access to other parties' genebanks, thus helping U.S. farmers and researchers sustain and improve their crops and promote food security.

The Treaty may be implemented under existing U.S. authorities.

I also transmit, for the information of the Senate, the report of the Department of State concerning the Treaty, which contains an understanding regarding Article 12.

GEORGE W. BUSH.  
THE WHITE HOUSE, July 7, 2008.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 633 through 636; that the nominations be confirmed, en

bloc, the motions to reconsider be laid upon the table, en bloc; that no further motions be in order; provided further that the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### UNITED STATES TAX COURT

Richard T. Morrison, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

David Gustafson, of Virginia, to be Judge of the United States Tax Court for a term of fifteen years.

Elizabeth Crewson Paris, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

#### DEPARTMENT OF THE TREASURY

Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### ORDERS FOR TUESDAY, JULY 8, 2008

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, July 8; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each. I further ask that following morning business the Senate resume consideration of H.R. 6304, the Foreign Intelligence Surveillance Act, as under the previous order; that all time in adjournment, recess, morning business, and consideration of H.R. 6304 count postclosure. Finally, I ask that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly Democratic caucus luncheon.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Ms. KLOBUCHAR. Mr. President, in order to accommodate Senators attending the funeral of former Senator Jesse Helms, there will be no rollcall votes during Tuesday's session. Senators should expect the votes in relation to the FISA legislation to begin around 11:15 a.m. on Wednesday, July 9.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. KLOBUCHAR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned as a further mark of respect to the memory of former Senator Jesse Helms.

There being no objection, the Senate,  
at 7:05 p.m., adjourned until Tuesday,  
July 8, 2008, at 10 a.m.

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CONFIRMATIONS

Executive nominations confirmed by  
the Senate, Monday, July 7, 2008:

UNITED STATES TAX COURT

RICHARD T. MORRISON, OF VIRGINIA, TO BE A JUDGE  
OF THE UNITED STATES TAX COURT FOR A TERM OF FIF-  
TEEN YEARS.

DAVID GUSTAFSON, OF VIRGINIA, TO BE A JUDGE OF  
THE UNITED STATES TAX COURT FOR A TERM OF FIF-  
TEEN YEARS.

ELIZABETH CREWSON PARIS, OF THE DISTRICT OF CO-  
LUMBIA, TO BE A JUDGE OF THE UNITED STATES TAX  
COURT FOR A TERM OF FIFTEEN YEARS.

DEPARTMENT OF THE TREASURY

EDWIN ECK, OF MONTANA, TO BE A MEMBER OF THE IN-  
TERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A  
TERM EXPIRING SEPTEMBER 14, 2008.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT  
TO THE NOMINEES' COMMITMENT TO RESPOND TO RE-  
QUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY  
CONSTITUTED COMMITTEE OF THE SENATE.

# EXTENSIONS OF REMARKS

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 8, 2008 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### JULY 9

#### Time to be announced

##### Veterans' Affairs

Business meeting to consider the nomination of Christine O. Hill, of Georgia, to be an Assistant Secretary of Veterans Affairs for Congressional Affairs.  
Room to be announced

#### 9:30 a.m.

##### Judiciary

To continue oversight hearings to examine the Department of Justice.

SD-106

##### Veterans' Affairs

To hold an oversight hearing to examine veterans disability compensation, focusing on undue delay in claims processing.

SR-418

#### 10 a.m.

##### Commerce, Science, and Transportation

To hold hearings to examine privacy implications of online advertising.

SR-253

##### Rules and Administration

To hold hearings to examine administrative and management operations of the United States Capitol Police.

SR-301

#### 10:30 a.m.

##### Homeland Security and Governmental Affairs

##### Investigations Subcommittee

To hold hearings to examine Medicare vulnerabilities, focusing on payments for claims tied to deceased doctors.

SD-342

##### Appropriations

##### Transportation, Housing and Urban Development, and Related Agencies Subcommittee

Business meeting to consider proposed legislation making appropriations for the Department of Transportation, Department of Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009.

SD-116

#### 2 p.m.

##### Banking, Housing, and Urban Affairs

To hold hearings to examine reducing risks and improving oversight in the OTC credit derivatives market.

SD-538

#### 2:30 p.m.

##### Foreign Relations

To hold hearings to examine the challenges from Iran.

SD-419

##### Commerce, Science, and Transportation

##### Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee

To hold hearings to examine fishing safety, focusing on policy implications of cooperatives and vessel improvements.

SR-253

##### Energy and Natural Resources

##### Public Lands and Forests Subcommittee

To hold hearings to examine S. 2443 and H.R. 2246, bills to provide for the release of any revisionary interest of the United States in and to certain lands in Reno, Nevada, S. 2779, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects, S. 2875, to authorize the Secretary of the Interior to provide grants to designated States and tribes to carry out programs to reduce the risk of livestock loss due to predation by gray wolves and other predator species or to compensate landowners for livestock loss due to predation, S. 2898 H.R. 816, bills to provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada, S. 3088, to designate certain land in the State of Oregon as wilderness, S. 3157, to provide for the exchange and conveyance of certain National Forest System land and other land in southeast Arizona, and S. 3179, to authorize the conveyance of certain public land in the State of New Mexico owned or leased by the Department of Energy.

SD-366

### JULY 10

#### 9:30 a.m.

##### Homeland Security and Governmental Affairs

To hold hearings to examine the roots of violent Islamist extremism and efforts to counter it.

SD-342

#### 10 a.m.

##### Environment and Public Works

##### Clean Air and Nuclear Safety Subcommittee

To hold oversight hearings to examine the Environmental Protection Agency (EPA), focusing on implementing the renewable fuel standard.

SD-406

##### Finance

To hold hearings to examine issues and options for the transportation infrastructure.

SD-215

#### Judiciary

To hold hearings to examine passport files, focusing on privacy protection for all Americans.

SD-226

#### Joint Economic Committee

To hold hearings to examine public pension plans, focusing on the need to strengthen retirement security and economic growth.

SD-106

#### 2 p.m.

##### Appropriations

Business meeting to markup proposed legislation making appropriations for fiscal year 2009 for the Department of Transportation, Department of Housing and Urban Development, and related agencies, Energy and Water Development, and Financial Services and General Government.

SD-106

#### 2:30 p.m.

##### Foreign Relations

To hold hearings to examine protocol Amending the Convention Between the United States of America and Canada with Respect to Taxes on Income and on Capital done at Washington on September 26, 1980, as Amended by the Protocols done on June 14, 1983, March 28, 1984, March 17, 1995, and July 29, 1997, signed on September 21, 2007, at Chelsea (the "proposed Protocol") (Treaty Doc. 110-15), Convention Between the Government of the United States of America and the Government of Iceland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying Protocol, signed on October 23, 2007, at Washington, D.C. (Treaty Doc. 110-17), Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, with accompanying Protocol, signed at Washington on February 23, 2007 (the "Proposed Treaty"), as well as the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed at Sofia on February 26, 2008 (Treaty Doc. 110-18), and certain other pending treaties.

SD-419

##### Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

### JULY 15

#### 10 a.m.

##### Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to Congress.

SR-325

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Homeland Security and Governmental Affairs  
To hold hearings to examine the nomination of Gus P. Coldebella, of Massachusetts, to be General Counsel, Department of Homeland Security.  
SD-342

JULY 16

10 a.m.  
Judiciary  
To hold hearings to examine the Administration's detainee policies and the fight against terrorism, focusing on sound legal foundations.  
SD-226

JULY 23

9:30 a.m.  
Veterans' Affairs  
To hold an oversight hearing to examine the Department of Veterans Affairs, focusing on responding to the needs of returning United States Guard and Reserve members.  
SR-418



# Daily Digest

## HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S6343–S6369*

**Measures Introduced:** Four bills and four resolutions were introduced, as follows: S. 3224–3227, and S. Res. 607–610. **Pages S6362–63**

#### Measures Reported:

S. 3227, to impose sanctions on Iran and for other purposes. (S. Rept. No. 110–408)

S. 1738, to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators, with an amendment in the nature of a substitute. **Page S6362**

#### Measures Passed:

**Death of former United States Senator Jesse Alexander Helms, Jr.:** Senate agreed to S. Res. 608, relative to the death of Jesse Alexander Helms, Jr., former United States Senator for the State of North Carolina. **Page S6367**

**Tay-Sachs Awareness Month:** Senate agreed to S. Res. 594, designating September 2008 as “Tay-Sachs Awareness Month”. **Pages S6367–68**

**National Fish and Wildlife Foundation Establishment Act Amendment:** Senate passed H.R. 3891, to amend the National Fish and Wildlife Foundation Establishment Act to increase the number of Directors on the Board of Directors of the National Fish and Wildlife Foundation, clearing the measure for the President. **Page S6368**

#### Measures Considered:

**Foreclosure Prevention Act—Agreement:** Senate resumed consideration of the motion to concur in the amendments of the House of Representatives, striking Title VI through XI, to the amendment of

the Senate to H.R. 3221, to provide needed housing reform. **Pages S6354–56**

During consideration of this measure today, Senate also took the following action:

By 76 yeas to 10 nays (Vote No. 163), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to concur in the amendments of the House of Representatives, striking Title VI through XI, to the amendment of the Senate to the bill. **Pages S6355–56**

**FISA Amendments Act—Agreement:** A unanimous-consent agreement was reached providing that all debate time on the amendments must be utilized during the Tuesday, July 8, 2008 session of the Senate, and that at 9:30 a.m. on Wednesday, July 9, 2008, immediately after the opening of the Senate, Senate resume consideration of H.R. 6304, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, with the debate time previously specified prior to the cloture vote commencing at that time, and that Senator Bingaman control 10 minutes of the time controlled by the Majority Leader; provided further, that after all debate time has been used or yielded back, Senate vote on or in relation to the amendments; that Senate then vote on the motion to invoke cloture on the bill, and then passage of the bill, as previously ordered; provided further, that the previous order with respect to debate time between votes and vote time in a sequence and all other provisions of the previous order remain in effect. **Page S6368**

A unanimous-consent agreement was reached providing that Senate begin consideration of the bill at approximately 11 a.m., on Tuesday, July 8, 2008, and that all time in adjournment, recess, or morning business and consideration of the bill count post-cloture. **Page S6368**

**Removal of Injunction of Secrecy:** The injunction of secrecy was removed from the following treaty:

Treaty on Plant Genetic Resources for Food and Agriculture (Treaty Doc. No. 110–19).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S6368**

**Nominations Confirmed:** Senate confirmed the following nominations:

Richard T. Morrison, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

David Gustafson, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

Elizabeth Crewson Paris, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Edwin Eck, of Montana, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2008. **Pages S6368, S6369**

**Measures Read the First Time:** **Pages S6359, S6368**

**Executive Communications:** **Pages S6359–62**

**Executive Reports of Committees:** **Page S6362**

**Additional Cosponsors:** **Pages S6363–64**

**Statements on Introduced Bills/Resolutions:** **Pages S6364–66**

**Additional Statements:** **Pages S6358–59**

**Amendments Submitted:** **Page S6366**

**Notices of Hearings/Meetings:** **Pages S6366–67**

**Record Votes:** One record vote was taken today. (Total—163) **Pages S6355–56**

**Adjournment:** Senate convened at 2 p.m. and adjourned, as a further mark of respect to the memory of the late former United States Senator Jesse Alexander Helms, Jr., at 7:05 p.m., until 10 a.m. on Tuesday, July 8, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S6368–69.)

## Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

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# House of Representatives

## Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Tuesday, July 8, 2008, pursuant to the provisions of H. Con. Res. 379.

## Committee Meetings

No committee meetings were held

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## NEW PUBLIC LAWS

(For last listing of Public Laws, SEE DAILY DIGEST, p. D783)

H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. Signed on June 30, 2008. (Public Law 110–252)

H.R. 6327, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes. Signed on June 30, 2008. (Public Law 110–253)

S. 1692, to grant a Federal charter to Korean War Veterans Association, Incorporated. Signed on June 30, 2008. (Public Law 110–254)

S. 2146, to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes. Signed on June 30, 2008. (Public Law 110–255)

S. 3180, to temporarily extend the programs under the Higher Education Act of 1965. Signed on June 30, 2008. (Public Law 110–256)

H.R. 5690, to remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes. Signed on July 1, 2008. (Public Law 110–257)

S. 188, to revise the short title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. Signed on July 1, 2008. (Public Law 110–258)

S. 254, to award posthumously a Congressional gold medal to Constantino Brumidi. Signed on July 1, 2008. (Public Law 110–259)

S. 682, to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation. Signed on July 1, 2008. (Public Law 110–260)

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## COMMITTEE MEETINGS FOR TUESDAY, JULY 8, 2008

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Energy and Water Development, business meeting to mark up proposed legislation making appropriations for fiscal year 2009 for Energy and Water Development, 9:45 a.m., SD–192.

*Committee on Energy and Natural Resources:* Subcommittee on Water and Power, to hold hearings to examine S. 2842, to require the Secretary of the Interior to carry out annual inspections of canals, levees, tunnels, dikes, pumping plants, dams, and reservoirs under the jurisdiction of the Secretary, S. 2974, to provide for the construction of the Arkansas Valley Conduit in the State of Colorado, H.R. 3323, to authorize the Secretary of the Interior to convey a water distribution system to the Goleta Water District, and S. 3189, to amend Public Law 106–392 to require the Administrator of the Western Area Power Administration and the Commissioner of Reclamation to maintain sufficient revenues in the Upper Colorado River Basin Fund, 2:30 p.m., SD–366.

### House

No committee meetings are scheduled.

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## CONGRESSIONAL PROGRAM AHEAD

Week of July 7 through July 12, 2008

### Senate Chamber

On *Tuesday*, Senate will begin consideration of H.R. 6304, FISA Amendments Act, and consider certain amendments.

On *Wednesday*, Senate will resume consideration of House message to accompany H.R. 3221, Foreclosure Prevention Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* July 8, Subcommittee on Energy and Water Development, business meeting to mark up proposed legislation making appropriations for fiscal year 2009 for Energy and Water Development, 9:45 a.m., SD–192.

July 9, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, business meeting to consider proposed legislation making appro-

priations for the Department of Transportation, Department of Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2009, 10:30 a.m., SD–116.

July 10, Full Committee, business meeting to mark up proposed legislation making appropriations for fiscal year 2009 for the Department of Transportation, Department of Housing and Urban Development, and related agencies, Energy and Water Development, and Financial Services and General Government, 2 p.m., SD–106.

*Committee on Banking, Housing, and Urban Affairs:* July 9, to hold hearings to examine reducing risks and improving oversight in the OTC credit derivatives market, 2 p.m., SD–538.

*Committee on Commerce, Science, and Transportation:* July 9, to hold hearings to examine privacy implications of online advertising, 10 a.m., SR–253.

July 9, Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, to hold hearings to examine fishing safety, focusing on policy implications of cooperatives and vessel improvements, 2:30 p.m., SR–253.

*Committee on Energy and Natural Resources:* July 8, Subcommittee on Water and Power, to hold hearings to examine S. 2842, to require the Secretary of the Interior to carry out annual inspections of canals, levees, tunnels, dikes, pumping plants, dams, and reservoirs under the jurisdiction of the Secretary, S. 2974, to provide for the construction of the Arkansas Valley Conduit in the State of Colorado, H.R. 3323, to authorize the Secretary of the Interior to convey a water distribution system to the Goleta Water District, and S. 3189, to amend Public Law 106–392 to require the Administrator of the Western Area Power Administration and the Commissioner of Reclamation to maintain sufficient revenues in the Upper Colorado River Basin Fund, 2:30 p.m., SD–366.

July 9, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 2443 and H.R. 2246, bills to provide for the release of any revisionary interest of the United States in and to certain lands in Reno, Nevada, S. 2779, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects, S. 2875, to authorize the Secretary of the Interior to provide grants to designated States and tribes to carry out programs to reduce the risk of livestock loss due to predation by gray wolves and other predator species or to compensate landowners for livestock loss due to predation, S. 2898 H.R. 816, bills to provide for the release of certain land from the Sunrise Mountain Instant Study Area in the State of Nevada, S. 3088, to designate certain land in the State of Oregon as wilderness, S. 3157, to provide for the exchange and conveyance of certain National Forest System land and other land in southeast Arizona, and S. 3179, to authorize the conveyance of certain public land in the State of New Mexico owned or leased by the Department of Energy, 2:30 p.m., SD–366.

*Committee on Environment and Public Works:* July 10, Subcommittee on Clean Air and Nuclear Safety, to hold

oversight hearings to examine the Environmental Protection Agency (EPA), focusing on implementing the renewable fuel standard, 10 a.m., SD-406.

*Committee on Finance:* July 10, to hold hearings to examine issues and options for the transportation infrastructure, 10 a.m., SD-215.

*Committee on Foreign Relations:* July 9, to hold hearings to examine the challenges from Iran, 2:30 p.m., SD-419.

July 10, Full Committee, to hold hearings to examine protocol Amending the Convention Between the United States of America and Canada with Respect to Taxes on Income and on Capital done at Washington on September 26, 1980, as Amended by the Protocols done on June 14, 1983, March 28, 1984, March 17, 1995, and July 29, 1997, signed on September 21, 2007, at Chelsea (the "proposed Protocol") (Treaty Doc. 110-15), Convention Between the Government of the United States of America and the Government of Iceland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying Protocol, signed on October 23, 2007, at Washington, DC (Treaty Doc. 110-17), Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, with accompanying Protocol, signed at Washington on February 23, 2007 (the "Proposed Treaty"), as well as the Protocol Amending the Convention Between the Government of the United States of America and the Government of the Republic of Bulgaria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion With Respect to Taxes on Income, signed at Sofia on February 26, 2008 (Treaty Doc. 110-18), and certain other pending treaties, 2:30 p.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* July 9, Permanent Subcommittee on Investigations, to hold hearings to examine Medicare vulnerabilities, focusing on payments for claims tied to deceased doctors, 10:30 a.m., SD-342.

July 10, Full Committee, to hold hearings to examine the roots of violent Islamist extremism and efforts to counter it, 9:30 a.m., SD-342.

*Committee on the Judiciary:* July 9, to continue oversight hearings to examine the Department of Justice, 9:30 a.m., SD-106.

July 10, Full Committee, to hold hearings to examine passport files, focusing on privacy protection for all Americans, 10 a.m., SD-226.

*Committee on Rules and Administration:* July 9, to hold hearings to examine administrative and management operations of the United States Capitol Police, 10 a.m., SR-301.

*Committee on Veterans' Affairs:* July 9, business meeting to consider the nomination of Christine O. Hill, of Georgia, to be an Assistant Secretary of Veterans Affairs for Congressional Affairs, Time to be announced, Room to be announced.

July 9, Full Committee, to hold an oversight hearing to examine veterans disability compensation, focusing on undue delay in claims processing, 9:30 a.m., SR-418.

*Select Committee on Intelligence:* July 10, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

## House Committees

*Committee on Agriculture,* July 9, 10 and 11, hearings to review legislation amending the Commodity Exchange Act, 2:30 p.m., on July 9, and 10 a.m., on July 10 and 11, 1300 Longworth.

*Committee on Appropriations,* July 8, Subcommittee on Legislative Branch, hearing on the Capitol Visitor Center, 7 p.m., H-140 Capitol.

July 10, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on CFTC, 11 a.m., 2362A Rayburn.

*Committee on Armed Services,* July 9, hearing on an update on efforts to develop and support the Iraqi Security Forces, 10 a.m., 2118 Rayburn.

July 9, Subcommittee on Oversight and Investigations, hearing on Defense Language and Cultural Awareness Transformation: To What End? At What Cost? 2:30 p.m., 2212 Rayburn.

July 10, full Committee, hearing on threat posed by Electromagnetic Pulse Attack, 10 a.m., 2118 Rayburn.

July 10, Subcommittee on Air and Land Forces, hearing on the source selection and path forward regarding the Air Force KC-(X) Program, 2 p.m., 2118 Rayburn.

July 10, Subcommittee on Military Personnel, hearing on oversight and status of POW-MIA activities, 2 p.m., 2212 Rayburn.

*Committee on Education and Labor,* July 9, hearing on the Rising Cost of Food and Its Impact on Federal Child Nutrition Programs, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* July 10, Subcommittee on Energy and Air Quality, hearing on H.R. 6258, Carbon Capture and Storage Early Deployment Act, 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* July 9, Subcommittee on Housing and Community Opportunity, hearing entitled "Federal Spending Requirements in Housing and Community Development Programs: Challenges in 2008 and Beyond," 9:30 a.m., 2128 Rayburn.

July 10, full Committee, hearing entitled "Systemic Risk and the Financial Markets," 10 a.m., 2128 Rayburn.

*Committee on Foreign Affairs,* July 9, hearing on U.S. Policy Toward Iran, 10 a.m., 2172 Rayburn.

July 9, Subcommittee on Europe and the Subcommittee on the Middle East and South Asia, joint hearing on Europe and Israel: Strengthening the Partnership, 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* July 9, hearing entitled "The Challenge of Protecting Mass Gatherings in a Post-9/11," 10 a.m., 311 Cannon.

*Committee on the Judiciary,* July 10, Subcommittee on Commercial and Administrative Law, hearing on the Politicization of the Justice Department and Allegations of Selective Prosecution, 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* July 10, Subcommittee on Fisheries, Wildlife and Oceans, oversight hearing entitled "Going, Going, Gone? An Assessment of the Global Decline in Bird Populations," 10 a.m., 1334 Longworth.

July 10, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 160, Revolutionary War and War of 1812 Battlefield Protection Act; H.R. 1847, National Trails System Willing Seller Act; H.R. 2933, Civil War Battlefield Preservation Act of 2007; H.R. 3299, To provide for a boundary adjustment and land conveyance involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land; H.R. 3336, Camp Hale Historic District Study Act; H.R. 3849, Box Elder Utah Land Conveyance Act; H.R. 5263, Forest Landscape Restoration Act; H.R. 5751, Walnut Canyon Study Act of 2008; and H.R. 6177, Rio Grande Wild and Scenic River Extension Act of 2008, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform*, July 8, Subcommittee on Domestic Policy, hearing on Assessing State and Local Regulations to Reduce Dental Mercury Emissions, 2:30 p.m., 2154 Rayburn.

July 9, full Committee, hearing on Manufacturers of FEMA Trailers and Elevated Formaldehyde Levels, 10 a.m., 2154 Rayburn.

July 10, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing on Investing in the Future: Minority Opportunities and the TSP, 10 a.m., 2154 Rayburn.

July 10, Subcommittee on Information Policy, Census, and National Archives, hearing on 2010 Census: Using the Communication Campaign to Effectively Reduce the Undercount, 2 p.m., 2154 Rayburn.

*Committee on Rules*, July 8, to consider the following: H.R. 5811, Electronic Message Preservation Act; and

H.R. 1286, Washington–Rochambeau Revolutionary Route National Trail Designation Act, 5 p.m., H–313 Capitol.

*Committee on Science and Technology*, July 10, Subcommittee on Energy and Environment, hearing on Harmful Algal Blooms: The Challenges on the Nation's Coastlines, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, July 9, Subcommittee on Highways and Transit, hearing on Truck Weights and Lengths: Assessing the Impacts of Existing Laws and Regulations, 10 a.m., 2167 Rayburn.

July 11, Subcommittee on Economic Development, Public Buildings, and Emergency Management hearing, on GSA's Capital Investment Program: Fiscal Year 2009, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs*, July 9, hearing on Why Does the VA Continue to Give a Suicide-Inducing Drug to Veterans with PTSD?, 10 a.m., 334 Cannon.

July 10, Subcommittee on Economic Opportunity, hearing on Independent Living, 1 p.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, July 9, executive, briefing on Colombia Hostage Situation, 12 p.m., H–405 Capitol.

July 10, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on IC HUMINT, 2 p.m., H–405 Capitol.

*Select Committee on Energy Independence and Global Warming*, July 10, hearing entitled "Global Warming Effects on Extreme Weather," 1:30 p.m., room to be announced.

### Joint Meetings

*Joint Economic Committee*: July 10, to hold hearings to examine public pension plans, focusing on the need to strengthen retirement security and economic growth, 10 a.m., SD–106.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 3 through June 30, 2008

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	102	80	..
Time in session .....	636 hrs., 26'	588 hrs., 52'	..
Congressional Record:			
Pages of proceedings .....	6,341	6,178	..
Extensions of Remarks .....	..	1,389	..
Public bills enacted into law .....	26	45	..
Private bills enacted into law .....	..	..	..
Bills in conference .....	3	6	..
Measures passed, total .....	289	529	818
Senate bills .....	41	28	..
House bills .....	71	218	..
Senate joint resolutions .....	2	2	..
House joint resolutions .....	1	1	..
Senate concurrent resolutions .....	16	4	..
House concurrent resolutions .....	24	55	..
Simple resolutions .....	134	221	..
Measures reported, total .....	*222	*226	448
Senate bills .....	132	1	..
House bills .....	71	158	..
Senate joint resolutions .....	2	..	..
House joint resolutions .....	..	..	..
Senate concurrent resolutions .....	2	..	..
House concurrent resolutions .....	2	5	..
Simple resolutions .....	13	62	..
Special reports .....	5	..	..
Conference reports .....	1	2	..
Measures pending on calendar .....	480	62	..
Measures introduced, total .....	925	2,033	2,958
Bills .....	693	1,497	..
Joint resolutions .....	16	22	..
Concurrent resolutions .....	28	109	..
Simple resolutions .....	188	405	..
Quorum calls .....	2	2	..
Yea-and-nay votes .....	162	316	..
Recorded votes .....	..	152	..
Bills vetoed .....	..	3	..
Vetoed overridden .....	2	2	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through June 30, 2008

Civilian nominations, totaling 397 (including 180 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	159
Unconfirmed .....	205
Withdrawn .....	33
Civilian nominations, totaling 1,086 (including 8 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	762
Unconfirmed .....	324
Air Force nominations, totaling 4,945 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	4,896
Unconfirmed .....	49
Army nominations, totaling 1,628 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,448
Unconfirmed .....	179
Withdrawn .....	1
Navy nominations, totaling 2,388 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed .....	1,969
Unconfirmed .....	419
Marine Corps nominations, totaling 1,546 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed .....	1,543
Unconfirmed .....	3
<i>Summary</i>	
Total nominations carried over from the First Session .....	216
Total nominations received this Session .....	11,774
Total confirmed .....	10,777
Total unconfirmed .....	1,179
Total withdrawn .....	34
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 153 reports have been filed in the Senate, a total of 288 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Tuesday, July 8

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Tuesday, July 8

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 60 minutes), Senate will begin consideration of H.R. 6304, FISA Amendments Act, and consider certain amendments.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for the Democratic party conference.)*

## House Chamber

**Program for Tuesday:** To be announced.



## Congressional Record

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